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East Europe Report

POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS

No. 2011

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ABORTIONS, LIMITATIONS OF BIRTHS CONFLICT WITH PATRIOTIC DUTY

Tirana SHENDETI in Albanian No 8, Aug 81 pp 16-17

[Article by Viktor Theohari, gynecologist: "The Responsibility of the Man in Abortions"]

[Excerpts] Abortions are a very serious problem for society. When the interruption of pregnancy is not necessary for medical reasons it means the killing of something which is just developing. Some believe that abortion is a simple operation, without any harmful consequences. This is not true. Even when the operation is performed successfully, in accordance with medical standards, it has serious effects on the health of the woman.

Throughout this drama which the woman faces, the figure of the man remains in the background, as if he has no part in the event, as if he has no responsibility for the interruption of the pregnancy, as if he does not know what is happening to the woman. The responsibility for the interruption of the pregnancy or for the complications which are caused belongs to both the man and the woman; the man has even more responsibility because he, unlike the woman, does not endanger his health by the abortion.

First of all, pregnancy is the result of joint action by the couple and a conscientious decision should be made by the two partners. From the very beginning, they should examine their ability to raise a child, before the child is conceived. They should not wait until the child has begun to live in the mother's womb.

Irresponsible behavior under the influence of alcohol or some other stimulus does not make the man any more attractive and does not justify unwanted pregnancy. Certainly, every man should think carefully before acting under the influence of alcohol or some other emotional stimulus, lest his action force him to take the hard road which involves interruption of pregnancy.

Many women who have abortions claim that they are not able to raise another child since they are busy at work, in the house, in the nursery, at school, etc. When we ask these women if their husbands help them, the reply is the same: Men do not bother with this work, they say it is women's work!

Recently, especially in the cities, a phenomenon which is foreign to our people has been noted--the trend toward having only two children and, why not, even fewer. We are a country with a young population, full of life and optimism. Limitation of births will result in the aging of the population, something which should not happen and will not happen in our country as it is happening in the bourgeois and revisionist countries. Therefore, the man has responsibility in regard to this problem of vital importance, when he makes an unthinking decision in favor of interruption of pregnancy.

Increasing the population is a patriotic duty which every family should keep in mind. Then the question arises as to what the man is doing in the family to respond to the call of the party to keep putting new blood into the population. The reproduction of the people is a vital issue which deals with the future of socialism in our country.

Implementing the recommendations of the party and of Comrade Enver in regard to the health of mothers and children in Albania, all facilities have been created for women to raise healthy children in the best conditions. Our laws have always given pregnant women and nursing mothers a number of benefits to ensure the protection of pregnancy and the normal development of the child.

A new and important measure which expresses, once again, the great and continuing concern of the party and of our socialist state for the health of mother and child is the decision of the People's Assembly that maternity leave for women in the cities and the villages will be extended from 49 calendar days, which it has been, to 135 calendar days.

The important measures of the party and the state and the concern of the entire society should be a great impetus for men to better understand their duties to the fatherland, to learn more about the health problems of women, and to assist actively in everyday household chores and in the raising of children.

CSO: 2100/59

NEW SCHEDULE FOR INTERNATIONAL FLIGHTS PUBLISHED

Tirana ZERI I POPULLIT in Albanian 13 Apr 82 p 4

[Announcement from Albtransport]

[Text] From 19 April to 31 October 1982, the schedule for the flights of international airlines will be as follows:

1. INTERFLUG (IF 390/391), of the civil air transport enterprise of the German Democratic Republic, will fly on Mondays (once every 2 weeks) on the Berlin-Budapest-Tirana route and the return route. It arrives at Rinas Airport at 1125 and departs Rinas at 1225.

2. OLYMPIC (OA 115/116) of the national air company of Greece, flies every Tuesday, on the Athens-Iannina-Tirana route and the return route. It arrives at Rinas Airport at 1150 and departs Rinas at 1250.

3. TAROM (RO 251/252), of the civil air transport enterprise of the Socialist Republic of Romania, flies every Wednesday on the Bucharest-Tirana-Rome route and the return route. It arrives at Rinas Airport at 1000 and departs for Rome at 1050; it returns from Rome to Rinas at 1500 and departs Rinas for Bucharest at 1600.

4. JAT (JU 480/481), of the Yugoslav air transport enterprise, flies every Wednesday, on the Belgrade-Tirana route and the return route. It arrives at Rinas Airport at 1200 and departs Rinas at 1300.

5. MALEV (MA 430/431), of the civil air transport enterprise of the People's Republic of Hungary, flies every Thursday on the Budapest-Belgrade-Tirana route and the return route. It arrives at Rinas Airport at 1115 and departs Rinas at 1205.

Passengers should be at Rinas Airport one and one-half hours before the departure of the plane. Otherwise, Albtransport will not be responsible for their failure to depart.

CSO: 2100/59

CSR LAW ON DOMESTIC TRADE

Prague HOSPODARSKE NOVINY in Czech No 12, 26 Mar 82 Supplement pp 3-16

[Law of the Czech National Council No 127/1981 of SBIRKA of 17 December 1981: "Law on Domestic Trade"]

[Text] Czech National Council Law on Domestic Trade No 127 of 17 December 1981

The Czech National Council approved the following law:

Part 1
Introductory Provisions

Section 1
Subject of Regulation

(1) Domestic trade is the sector of the socialist economic system which acts as an intermediary between production or import of consumer goods (henceforth "goods") and their distribution and consumption. In this manner it contributes to the satisfaction of citizens' needs on the domestic market and to the conditions for the socialist way of life.

(2) The law defines the status and tasks of domestic trade in accordance with CSSR economic and social policy and regulates the conditions of business activity in domestic trade as well as the rights and duties of organs, organizations and citizens in this area.

Section 2
Basic Task of Domestic Trade

(1) The basic task of domestic trade is to secure, in accordance with the national economic plans and uniform socialist trade policy, the development according to the plan of economical and continuous satisfaction of citizens' needs by sale of goods and providing services on the domestic market according to this law.

(2) The organs which direct business activity and the organizations which are engaged in it are responsible for the fulfillment of this basic task.

(3) Other organs and organizations which by their production or other activity participate in the satisfaction of citizens' needs on the domestic market must create conditions necessary for the fulfillment of the task according to Para 1.

Section 3
Uniform Socialist Trade Policy

(1) A uniform socialist trade policy whose principles are determined by the CSR government is implemented in domestic trade.

(2) The principles of uniform socialist trade policy are proposed to the CSR Government by the CSR Ministry of Trade (henceforth "Ministry of Trade") which directs the implementation of uniform socialist trade policy and, in cooperation with the Czech Union of Consumer Cooperatives (CSSD), other central organs and kraj national committees implements it.

Part 2
Business Activity and Conditions for It

Head 1
Business Activity

Section 4
Definition of the Term

By business activity according to this law is meant retail trade activity, providing commercial services in connection with retail trade, providing services of public catering, lodging and travel agencies as well as wholesale business insofar as these activities are carried out on the domestic market.

Section 5
Retail Trade Activity

By retail trade activity is meant selling or providing for selling of goods to citizens and, on the scale and under the conditions specified by the enabling regulations, also to the organizations.

Section 6
Commercial Services

By commercial services are meant services which are related to retail trade activity and are rendered to the citizens in order to satisfy their needs. The scope and conditions of commercial services will be determined by the supervisory organ.

Section 7
Public Catering Services

(1) By public catering services is meant the preparation and sale of food, convenience foods, drinks or supplementary sale of goods and providing services related to public catering in sales outlets of restaurant catering.

(2) Serving of meals in factory cafeterias[1] is not regarded as public catering according to this law.

Section 8
Housing Services

By housing services is meant providing for payment of temporary lodging and related services to the public in the establishments and facilities designed for this purpose.

Section 9
Services by Travel Agencies

By services of travel agencies are meant services to tourists and particularly theorganization of recreational, tourist, topical and other excursions and sojourns, providing and procurement of transportation, public catering, housing, guides and other related services to the tourists.

Section 10
Wholesale Business Activity

(1) By wholesale business activity is meant securing of shipments of goods from the production sector or imports for the purpose of regular and speedy supply to retail trade or other commercial activity or to other customers.

(2) According to this law, the activity of sales and supply organizations in the area of material and technical procurement is not regarded as wholesale business activity.

Section 11

Business activity is carried out in stores, sales centers of restaurant catering, plants and establishments providing housing services, travel agencies, the ordering offices of the fuel trade sector, gas stations and other places of business which are engaged in business activity (henceforth "store or place of business"). They are located in accordance with the interests of regular and steady supply of goods and services to citizens.

Section 12

The enabling regulation will define in detail the content and scope of business activity and the principles governing the planning and construction of stores or places of business.

Head 2
Authorization of Organizations to Engage in Business Activity

Section 13
Authorization to Engage in Business Activity

(1) Business activity can be pursued by

a) organizations set up for engaging in business activity which are controlled by the Ministry of Trade, CSSD or national committees;

b) other organizations only, if they see granted a special permit or have the right to do so according to this law.

(2) The provisions of special regulations, insofar as they require a special permit [3] for engaging in some business activity, are not affected by this law.

Section 14

(1) the permits to engage in business activity are granted by the Ministry of Trade or national committees. These organs must approve also permanent discontinuation of business activity.

(2) The Ministry of Trade grants a permit to engage in business activity, if

a) it involves business activity of one or more organizations on the territory exceeding one kraj and the permit is applied for by their central organ or

b) the permit is applied for by other than a socialist organization or

c) it involves wholesale business activity.

(3) Except for the instances listed in Para 2, the permit to engage in business activity is granted by

a) the kraj national committee, if business activity is to be carried out on its territory in more than one okres;

b) the okres national committee, if business activity is to be carried out on its territory only;

c) the municipal national committee, if business activity is to be carried out on its territory only;

d) the local national committee for nonrecurring business activity on its territory.

Section 15

The organs listed in Sect 14 grant the permit to engage in business activity only, if it is in harmony with the society's interests and

satisfaction of citizens' needs, and if the organization has necessary conditions and funds for business activity or will produce them within the specified deadline.

Section 16

The organization has the right to engage in business activity only in the scope and territorial district specified in the permit.

Section 17

The organ which sets up an organization or changes the subject of its economic activity can list in the charter, statutes, articles or other document, business activity as the subject of economic activity only on the basis of a permit issued by the appropriate organ of state administration (Sect 14), if such a permit is required according to this law.

Section 18

An enabling regulation will spell out the details of the application for the permit to engage in business activity and the procedure in filing it.

Section 19

Abrogation of the Permit

(1) The organ authorized according to Sect 14 to grant a permit to engage in business activity

a) will repeal this permit, if it was granted on the basis of incorrect information by the organization or if the prerequisites under which it was granted change or if the interests of regular and fluent flow of supplies to the domestic market or other important interests of the society so require;

b) can withdraw or revise this permit, if the organization involved does not make use of this permit without any particular reason or violates the duties imposed on it according to this law.

(2) The permit to engage in business activity ends by

a) disbanding of the organization involved;

b) repeal of the permit according to Para 1;

c) the decision of the organ of state administration, authorized to issue the permit, by which it consents to permanent ceasing of business activity on the basis of the notification by the organization to this effect;

d) completing of nonrecurring business activity (Sect 14, para 3, Letter d);

e) expiration of the time for which the permit was granted.

Head 3
Conditions for Engaging in Business Activity

Section 20

(1) The organization which is engaged in business activity must observe the conditions stipulated by this law, enabling or special regulations as well as conditions stated in the permit to engage in business activity, insofar as it needs such a permit. In particular it must

a) engage in business activity in accordance with the principles of uniform socialist trade policy and tasks charged according to this law, enabling or special regulations;

b) maintain the specified assortment of goods and scope of services within which it has the right to engage in business activity and to secure an adequate supply of goods to citizens during the entire selling period;

c) secure, in cooperation with the production and other supply organizations, an adequate quantity of goods in the specified assortment and quality and in various price groups;

d) take care in every possible way of safety and health protection at work and sanitary conditions of sale;

e) ensure, in cooperation with the production and other organizations, an adequate quantity and specified assortment of spare parts and components in the trade system and reach agreement on repairs both during the warranty period and after its expiration;

f) propose to the appropriate local national committee the regulation of selling and operating periods (henceforth "selling period"), observe and make it public;

g) maintain specified basic operating and technical equipment of stores and places of business, sectorial norms on categorization of lodging establishments and facilities, and of sales centers of restaurant catering;

h) protect citizens' interests in domestic trade and actively work for the development of socialist relations between the workers at places of business and citizens, and in particular direct these workers to a friendly attitude, honesty and active interest in citizens' contentment;

i) see to it that the workers at places of business possess the required qualification and meet other requirements specified for the workers at stores or places of business.

(2) The enabling regulation will spell out in detail the conditions of business activity.

Head 4
Setting the Selling Period

Section 21

(1) The selling period in stores or places of business is set or changed by the appropriate local national committees on the proposal of the organization lawfully engaged in business activity. The organization must discuss the proposal with the appropriate organ of the Revolutionary Trade Union Movement [ROH].

(2) The selling period is set in accordance with the society's interest in such a way as to allow the citizens to shop and make use of available services before and after work.

(3) If the organization does not submit the proposal for setting or changing the selling period at the store or place of business, or submits a proposal which does not meet the requirements of Para 2, the selling period is set by the appropriate local national committee after discussing it with the organization and appropriate ROH organ.

Head 5
Temporary Closing of Store or Place of Business

Section 22

(1) The store or place of business can be temporarily closed for the absolutely necessary period only due to the

a) taking of inventory of economic funds;

b) natural disaster;

c) death of the worker or time off necessitated by his sudden illness or injury or in connection with the sudden illness, injury or death of his family member, if the store or places of business employs one worker only;

d) dangerous condition of the store or place of business or its equipment;

e) adaptation or other remodeling of the store or place of business or its furnishings or equipment.

(2) The organization engaged in business activity must discuss in advance the temporary closing of the store or place of business with the appropriate local national committee.

(3) In other instances than those listed in Para 1, the store or place of business can be temporarily closed only with the permission of the appropriate local national committee or on the basis of the decision by another appropriate organ of state administration made according to special regulations[4].

(4) Upon temporary closing of the store or place of business, the organization engaged in business activity must, in cooperation with the appropriate local national committee, provide for substitute sale of goods or services so that the citizens in the respective locality are normally and fluently supplied or secure in the nearest store or place of business of the same type the sale of goods or providing services according to this law.

Head 6
Sales of Goods by Citizens

Section 23

(1) A citizen has the right to sell goods only in the scope and under the conditions specified on the basis of this law or special regulations.

(2) Plant and animal products from their own small-scale production and berries gathered in the forest can be sold by citizens without a permit unless specific regulations provide otherwise.[5]

Section 24

(1) Citizens can sell their homemade or home-processed products on the basis of the permit granted by the local national committee in whose territorial district sales are to be made.

(2) In the permit, the local national committee lists the types of products, scope and place of sales, the duration of the permit and possibly also other conditions under which the citizen can sell these products.

Section 25

The citizen who was granted the permit to sell goods

a) can do so only at open air markets or other places specified by the appropriate local national committee;

b) must have about him evidence that the permit to sell goods was granted and produce this document, when asked by the appropriate organ to do so. At the same time, he must display his name and the place of his permanent residence conspicuously.

Section 26

The local national committees publish market regulations in which, in accordance with the citizens' interests, they stipulate the conditions

for sale of goods at open air markets and particularly specify the time and place of sale of goods as well as the fees for the use of public area.[6]

Section 27

(1) The permit to sell homemade or home-processed products expires upon the lapse of the period for which it was issued or by the death of the citizens.

(2) The permit can be withdrawn, if the citizen without any special reason does not make use of it, violates the duties imposed by this law or special regulations or if the society's interests so require.

Section 28

An enabling regulation will spell out the details of the application for the permit to engage in sale of one's own homemade or home-processed products, state detailed conditions and scope of this sale as well as the types of those products for whose sale a permit is not required.

Head 7
Protection of Citizens' Interests in Domestic Trade

Section 29

(1) The organizations engaged in business activity must, in addition to the conditions listed in Sect 20 and special regulations[7], comply with or create additional conditions for the protection of citizens in domestic trade.

In particular they must

a) introduce and effect such work organization and technology of operation which contribute to regular and steady supply of goods and services to citizens;

b) see to it that the standard of goods offered for sale, of services rendered and of sales personnel in stores or other places of business continuously increases;

c) exercise quality and price control upon receiving goods in order to prevent sale of merchandise not conforming to the technical standards, price and other regulations[8] or aesthetic requirements. No merchandise must be sold in domestic trade that does not correspond to the regulation on safety and health protection;

d) in relation to suppliers, insist on higher technical and aesthetic standard of goods and their packaging, and on their higher use value;

d) in accordance with special regulations[9)], demand the application of more progressive technical norms and changes in them, suggest that the products are subjected to mandatory evaluation and its results used, and particularly, in cooperation with the production organizations, indicate the quality grade of products or exception from the technical standards;

f) inform citizens on the goods sold and services rendered.

(2) The Ministry of Trade, CSSD, other central agencies and national committees which direct the organizations engaged in business activity create, in cooperation with the central agencies of supply organizations, a well-rounded system of commercial-political, legal, technical-organizational, educational and control measures designed to increase protection of citizens' interests in domestic trade.

(3) If the citizen exercises his right to complain about the defects of merchandise or services (henceforth "complaints"), the head of the store or place of business or the worker authorized by him must, after careful examination, decide on the complaint immediately, or within 3 days in more complicated cases. The decision on the complaint concerning the merchandise defects must not be made dependent upon the opinion of the supply organization. The regulation governing the settlement of citizens' complaints must be displayed in a conspicuous and readily accessible spot in every store or place of business.

(4) An enabling regulation will spell out the procedure and details of the settlement of citizens' complaints.

Part 3
Management of Domestic Trade

Head 1
Sectorial Management of Domestic Trade

Section 30

(1) The Ministry of Trade, CSSD, other central agencies and national committees, in mutual cooperation with the organizations supervised by them insofar as these are engaged in business activity and in accordance with the tasks set by the national economic plans, uniform socialist trade policy and by using specified economic tools must

a) ensure uniform and coordinate course of action in the drawing up, fulfillment and control of the fulfillment of the retail trade turnover;

b) carry out, in accordance with the uniform principles, domestic market research, analyze consumer demand and control it in accordance with the needs of development of the socialist way of life;

c) create uniform conditions for the coordinated and planned development of the material-technical basis, and for the adequate number of stores and places of business in all trade systems;

d) ensure the implementation of uniform principles governing the economic conditions of business activity;

e) create basic conditions of social development, training and stabilization of cadres in domestic trade;

f) organize in accordance with special regulations[10] a promptly available and uniform information system in the domestic trade sector.

(2) The Ministry of Trade organizes the coordinated implementation of tasks listed in Para 1.

(3) An enabling regulation will formulate the uniform principles governing domestic market research and analysis of the consumer demand and its control.

Head 2
Organs of State Administration for Domestic Trade

Section 31

(1) State administration in the domestic trade sector is executed and the tasks according to this law fulfilled by the organs of state administration for domestic trade which are

a) the Ministry of Trade as the central organ of state administration for domestic trade;

b) national committees.

(2) In executing state administration in the domestic trade sector, the appropriate central organs cooperate on the necessary scale with the organs listed in Para 1 and assist them. Special provisions regulating the status and tasks of cooperative organizations are not thereby affected.

Head 3
Jurisdiction of State Administration Organs for Domestic Trade

Section 32
Ministry of Trade

The Ministry of Trade

a) directs the execution of state administration and in specified instances exercises state administration for domestic trade and tourism. It also exercises state trade supervision;

b) submits to the CSR Government the draft proposals for uniform socialist trade policy, the proposals for long-term development of the domestic trade sector, the proposals for basic measures aimed at the improvement of production and import of goods as well as the proposals for measures in tourism;

c) puts together the draft plan for domestic trade;

d) in accordance with the principles laid down by the CSR Government, enacts measures necessary for the implementation of uniform socialist trade policy and distribution of goods, particularly of regular and smooth supply of goods to citizens and improvement of services rendered, including controlling sales of goods, implementation of price measures and measures designed to protect citizens' interests in domestic trade;

e) secures, in accordance with special regulations and uniform principles of appropriate central organs of state administration, the implementation of price, wage, financial and investment policy and scientific-technological development, and directs research in domestic trade;

g) performs additional tasks in domestic trade according to this law and special regulations.

Section 33
Kraj National Committees

The kraj national committees

a) follow up and evaluate the level of citizens' supplies and services. They propose or carry out themselves necesssary measures for securing a regular and smooth flow of supplies and services;

b) analyze trends in personal consumption;

c) work out the concept of development of the material-technical basis of domestic trade and tourism, coordinate and check on its implementation;

d) develop the concepts of development of enterprises managed by the national committees in the domestic trade sector and check on their implementation;

e) coordinate the development of individual systems of public catering;

f) work out the concept of development of tourism and check on its implementation;

g) exercise state trade inspection;

h) grant organizations the permit to engage in business activity.

Section 34
Okres National Committees

The okres national committees

a) follow up and evaluate the level of citizens' supply and services and propose or carry out themselves necessary measures for securing regular and smooth flow of supplies and services to citizens;

b) analyze trends in personal consumption;

c) work out the concept of development of the material-technical basis of domestic trade and tourism and coordinate and check on its implementation;

d) develop the concept of development of tourism and check on its implementation;

e) exercise state trade inspection;

f) impose fines according to this law on the organizations for the shortcomings found by the organs of state trade inspectorate;

g) place lodging establishments and facilities in classes and categories, and sales centers of restaurant catering in groups;

h) grant organizations permits to engage in business activity.

Section 35
Municipal National Committees

In addition to the jurisdiction exercised by the local national committees according to Sect 36, the municipal national committees

a) exercise jurisdiction which belongs to the okres national committees according to Sect 34 letters a) and c);

b) exercise additional jurisdiction extended to the okres national committees, if the kraj national committees delegate it to them;

c) grant organizations permits to engage in business activity on their territory;

d) impose fines according to this law on organizations for the shortcomings discovered by the organs of state trade inspectorate.

Section 36
Local National Committees

The local national committees

a) enact measures necessary for securing regular and smooth flow of supplies and services to citizens;

b) set the selling period for stores and other places of business;

c) discuss and give their approval to the temporary closing of stores or places of business;

d) approve the distribution, location and opening of new stores or places of business, and extension, restriction or discontinuation of their activity;

e) express their opinion on the proposed appointment or recall of the heads of stores or places of business of the organizations managed by the superior national committees. If major or recurrent shortcomings in the activity of these stores or places of business are found, they can propose a recall of their managers;

f) grant permits to citizens to sell goods;

g) determine the marketplace or other sites for sale of goods by citizens and publish the market regulations;

h) exercise state trade inspection;

i) set up consumer councils and direct their activities;

j) grant permits to organizations for nonrecurrent business activity;

k) express their opinion on the schedules for delivery of goods;

l) discuss offenses according to this law.

Part 4
State Trade Supervision in Domestic Trade

Section 37

(1) The national committees and the Ministry of Trade are the organs of state trade supervision in the domestic trade sector.

(2) In exercising state trade supervision, the appropriate organs check whether the organizations engaged in business activity and citizens who sell goods comply with the conditions and perform duties stipulated by this law as well as duties assigned by the measures enacted by the organs of state administration. In particular, they check whether the terms stipulated for engaging in business activity by organizations or for sale of goods by citizens are observed; whether there is compliance with the specified assortment, quantity, quality, weight and price of goods, selling period and other conditions and duties specified for the protection of citizens in domestic trade.

(3) If the organ of state trade supervision discovers a shortcoming, it will ask the organization or, according to the nature of the matter, the organ which supervises it or the citizen who sells goods to rectify the situation. In exercising supervision in stores or places of business, it can within its jurisdiction impose necessary bans and enact temporary measures for the elimination of shortcomings.

Section 38

(1) In discharging their tasks, the workers of the organ of state trade supervision have the right to enter stores or places of business, inspect equipment and buildings insofar as no permission is required according to special regulations, conduct necessary investigations, ask for necessary data and explanation, and examine the pertinent documents. In exercising state trade supervision, they must produce a card identifying themselves as organs of state trade inspectorate and not disclose facts constituting the subject of state, economic or service secrets.

(2) The organ of state trade supervision can in complicated instances ask for cooperation of the expert who has the same right as the workers of the organ of state trade supervision according to Para 1.

Section 39

In order to discharge the tasks related to state trade supervision, the local national committees set up consumer councils [11].

Section 40

In order to increase protection of citizens' interests in domestic trade, professionally qualified workers, authorized by the central organ which directs the organization engaged in business activity, have the right in exceptional cases to check on the observance of technical norms, production processes and technology in the production of goods, particularly in those instances when inferior products are delivered repeatedly or in large quantities. The scope and conditions of such supervision will be decided upon by the central organ which manages the organization engaged in business activity, together with the central organ which directs the production organization.

Section 41

In exercising state trade supervision, the supervising organs rely upon workers' experiences and initiative, and cooperate with the organs of people's control, of ROH and other mass organizations. They can also request cooperation of the organs checking on the observance of prices, quality and harmlessness of goods from the standpoint of health, and observance of sanitary regulations in stores or places of business.

Section 42

Every store or place of business must make available to citizens a book of wishes and complaints in which they can register their complaints, comments and suggestions.

Section 43

Every store or place of business must keep an inspection book in which the appropriate organ must record the results of inspection and findings, including the proposed or demanded measures for elimination of shortcomings.

Section 44

Special regulations defining the status and tasks of the organs of state inspectorates[12] are not affected by this law.

Section 45

An enabling regulation will spell out in detail state trade supervision, maintenance of books of wishes and complaints, manner in which the complaints, comments and suggestions registered by citizens in the book of wishes and complaints are to be attended to, and keeping of inspection books.

Part 5
Fines and Other Sanctions

Section 46

(1) The okres national committee, municipal national committee or--in the community designed by the kraj national committee--the local national committee will impose on the organization which

a) does not create conditions for state trade supervision, prevents the organs from exercising it, does not implement within the specified deadline measures ordered by the organ of state trade supervision or does not correct an irregularity discovered by the organ of state trade supervision within the deadline specified, a fine up to the amount of Kcs 100,000;

b) does not observe the conditions of business activity specified by or on the basis of this law, a fine up to the amount of Kcs 300,000;

c) despite a prior written warning, engages in business activity without a prescribed permit, a fine up to the amount of Kcs 500,000.

(2) If another organ of state trade supervision than that listed in Para 1 discovers violation of duty according to Para 1, it will report it to the appropriate okres national committee together with a proposal for imposing a fine.

(3) In determining the amount of fine, attention will be paid particularly to gravity and duration of illegal activity, the extent of guilt, amount of damage caused and especially the amount of damaged caused to the citizen.

Section 47

(1) The fine must be paid within 30 days from the day on which the decision by which it was imposed became legally effective.

(2) The fine can be imposed on the organization within 1 year from the day on which the appropriate national committee learned about the violation of duty, but not later than 3 years from the day on which the violation of duty took place.

Section 48

By imposing a fine on the organization, responsibility of the organization or its workers according to special regulations remains unaffected.

Section 49
Offenses Committed by Citizens Selling Goods

(1) For offenses committed in sale of goods by citizens, the local national committee can

a) issue a reprimand;

b) impose a fine according to Para 2 or 3;

c) order forfeiture of goods.

(2) A fine up to Kcs 2,000 can be imposed on the citizen who commits an offense by

a) violating the duty stipulated by the market regulations;

b) selling goods at a site where sale of goods is not permitted;

c) failure to show the permit to sell goods when asked to do so by the appropriate organ;

d) failure to display conspicuously a sign listing his name and place of permanent residence;

e) violating other duty stipulated by this or on the basis of this law.

(3) A fine amounting up to Kcs 5,000 can be imposed on the citizen who commits an offense by

a) selling without a permit goods for whose sale a permit is required or engages illegally in business activity;

b) causing damage to citizens in terms of price, assortment, quality, quantity or weight of goods sold.

Section 50
Forfeiture and Seizure of Goods

(1) If a citizen sells goods of inferior quality or at an unjustifiable price or sells goods without a permit, the local national committee can declare

a) forfeiture of goods which were used in committing the offense and which belong to the citizen who committed the offense;

b) confiscation of goods which were used in committing the offense, but the perpetrator cannot be called to account or the goods do not belong to him.

(2) The local national committee can declare the goods confiscated in addition to the reprimand and fine.

(3) The state becomes the owner of forfeited or confiscated goods.

Section 51

Unless this law explicitly provides otherwise, general regulations[13] apply to offenses and procedure involved.

Section 52

The fines imposed according to Sect 46 and 49 are part of revenues of the national committees which imposed them.

Part 6
Interim Provisions

Section 53

(1) The organizations which are lawfully engaged, on the day on which this law becomes effective, in business activity for which a permit is required, can carry on this activity on the same scale only if they, within 6 months of the effectiveness of this law, report this fact to the organ of state administration which would otherwise be authorized according to Sect 14. If they fail to do so, they are regarded as unlawful operators.

(2) The reporting duty according to Para 1 is regarded as met, if the notification is made within the same period by the organ which has the right to apply for the permit according to Sect 14, Para 2, Letter a).

Section 54

The citizen who on the day on which this law becomes effective has the right to sell his homemade or home-processed products must, if he wants to sell these products in the future, apply at the proper local national committee within 6 months for the permit to sell these products according to this law. Should he fail to do so, his permit to sell is terminated.

Part 7
Concluding Provisions

Section 55
Joint Provisions

(1) The provisions of this law do not apply to

a) sale of medicines and medical supplies insofar as it is effected by the organizations or establishments of the uniform health care system;

b) sale and distribution of periodical press, sale of postal and other valuables, sale of philatelic merchandise and of loudspeakers for broadcasting of radio programs by wire which are made by the organizations and establishments of the communications sector;

c) business activity of the organizations supervised by the CSR Ministry of Culture;

d) sale of articles of religious worship or church literature, insofar as it is carried out by a church or religious society;

e) foreign economic activity.[14)]

(2) The scope and conditions of pursuing business activity in the units and establishments of the armed forces and armed corps will be jointly agreed upon by the Ministry of Trade, Federal Ministry of National Defense, Federal Ministry of Interior and CSR Ministry of Justice.

Section 56
Authorizing Provisions

In cooperation with the central organs involved, the Ministry of Trade will issue generally binding regulations to implement the provisions of Sect 5, 12, 18; Sect 20, Para 2; Sect 28; Sect 29, Para 4; Sect 30, Para 3, and Sect 45 of this law.

Section 57
Rescinding Provisions

The following regulations are rescinded:

1. Law No 160/1949 of SBIRKA on domestic trade;

2. Ministry of Domestic Trade Decree No 13/1968 of SBIRKA, which stipulated the rules for business enterprise as amended by Decree No 105/1971 of SBIRKA;

3. Ministry of Domestic Trade Decree No 218/1954 of the OFFICIAL GAZETTE on uniform form of the book of wishes and complaints in the retail stores and places of public catering;

4. Ministry of Domestic Trade Decree No 177/1956 of the OFFICIAL GAZETTE on the classification of establishments of public catering in price groups as amended by the Czech National Council Law No 146/1971 of SBIRKA.

Section 58
Effectiveness of Law

This law becomes effective on 1 April 1982.

Signed: Kempny
Korcak

FOOTNOTES

1. Sect 239, Para 1 of the Civil Code No 40/1964 of SBIRKA.

2. CSSR Covernment Order No 25/1974 of SBIRKA on catering in factory cafeterias.

3. For example, Law No 162/1949 of SBIRKA on weapons and ammunition as amended by later regulations and Government Order No 56/1967 of SBIRKA on toxins and other substances harmful to health.

4. For example, Law No 20/1966 of SBIRKA on people's health care, Law No 50/1976 of SBIRKA on territorial planning and building code (law on construction).

5. For example, Law No 61/1964 of SBIRKA on plant production increase, Law No 20/1966 of SBIRKA, decree of the Federal Ministry of Agriculture and Food No 123/1976 of SBIRKA on basic conditions of delivery of agricultural products and supplies as ammended by Decree No 83/1977 of SBIRKA.

6. Law No 82/1952 of SBIRKA on local fees.

7. For example, the Civil Code No 40/1974 of SBIRKA and Law No 20/1968 of SBIRKA.

8. For example, Law No 50/1968 of SBIRKA on testing in state laboratories.

9. Law No 98/1964 of SBIRKA on technical standardization. Law No 30/1968 of SBIRKA.

10. Law No 21/1971 of SBIRKA on the integrated system of socioeconomic information.

11. Section 65 of Law No 69/1967 of SBIRKA on national committees as amended by later regulations.

12. Law No 122/1962 of SBIRKA on state agricultural, food and trade inspection as amended by Law No 31/1968 of SBIRKA.

13. Law No 60/1981 of SBIRKA, Law No 71/1967 of SBIRKA on administrative procedure (administrative code).

14. Law No 42/1980 of SBIRKA on economic relations with foreign countries.

Excerpt from the Background Report

Sections 1-2 of the Law

The purpose of the new regulation of domestic trade is to replace the legislation of 1949 (Law No 160/1949 of SBIRKA on domestic trade), which no longer meets contemporary economic-political conditions and has become obsolete, with a new regulation which reflects the status and tasks of socialist domestic trade at the stage of building a developed socialism society.

The law regulates particularly the management of domestic trade, uniform socialist trade policy, jurisdiction of organs of state administration in domestic trade, supervision of domestic trade including imposing of fines and other sanctions for the violation of duties ensuing from this law, and completes an integrated system of protection of citizens' interests in domestic trade.

As to the position and tasks of domestic trade, the law defines with more precision, in accordance with the principal goal of CPCZ economic and social policy, their features in relation to the population and to the reproduction process.

The principal tasks of socialist domestic trade for individual stages of development are determined by the national economic plans and uniform socialist trade policy formulated by the government.

It is likewise taken into account that domestic trade performs its role under the conditions of the socialist domestic market organized according to the plan whose dynamic balance is part of the overall balance of the national economy and an important factor in domestic policy.

Section 3 of the Law

The Seventh Plenum of the CPCZ Central Committee in May 1977 laid down the directive that domestic trade must operate on the basis of a uniform trade political concept. The uniform trade political concept makes imperative the formulation of uniform socialist trade policy which is part of CPCZ economic and social policy.

For this reason, the law makes the uniform socialist trade policy mandatory for all organs and organizations which control or are engaged in business activity in domestic trade, and at the same time charges them with the duty to use, in addition to the generally applicable tools of planned management of the national economy, also specific tools and methods of management of domestic trade which are to contribute to the accomplishment of these goals.

The principles of uniform socialist trade policy are proposed and submitted for approval to the CSR Government by the Ministry of Trade which also directs the implementation of uniform socialist trade policy and, in cooperation with CSSD, other central organs and kraj national committees, carries it out.

The principles of uniform socialist trade policy reflect its goals, content and tools. Its goals lie in the accomplishment of planned development of market personal consumption in accordance with the requirements of the socialist way of life. In this respect, they particularly follow the structural and qualitative changes in personal consumption and shopping conditions for the population.

The subject of uniform socialist trade policy and thus also the basic duty of all organs and organizations which direct or implement the uniform socialist trade policy is in particular

a) to work out the concept of development of market personal consumption and create conditions for its implementation. By the concepts of development of market personal consumption are meant both the comprehensive plans for dynamics and structure of sale of consumer goods on the domestic market and similar plans for consumption in specific assortment of groups of goods. In addition to the anticipated trend in sale of goods, the concept simultaneously deals with future changes in quality, innovation process, changes in the area of price relations, method of sale, retail packaging and so on;

b) to actively affect market personal consumption and to make use of price and credit measures, market research and commercial advertising;

c) to ensure deliveries of goods to the market funds both from the production sector and imports in accordance with the domestic market plan;

d) to make business activity economically more effective, particularly by achieving a rational distribution of goods and maintaining adequate inventories;

e) to pay increased attention to the quality of goods in domestic trade and to exercise active pressure for innovation and changes in the available assortment of products;

f) to systematically improve the conditions in domestic trade for shopping by citizens and the quality and scope of services rendered;

g) to increase protection of citizens' interest in domestic trade and to contribute to the development of socialist relations between citizens and organizations engaged in business activity and their workers.

To achieve the tasks followed by the uniform socialist trade policy, the organs and organizations which direct or are engaged in business activity

in the domestic trade sector use, in addition to the general tools of planned management of the national economy, particularly the following tools and methods:

a) the findings of market research and analysis of consumer demand;

b) commercial operating and organizational-technical measures for active control of retail trade sales and services rendered;

c) price and credit measures;

d) measures of legal nature;

e) measures aimed at protection of citizens' interest on the domestic market;

f) socialist commercial advertising.

Sections 4-12 of the Law

The law uses a common term "business activity" for economic activity of socialist organizations in domestic trade. The law therefore defines this term with more precision and describes individual kinds of business activity in such a way as to make their features evident.

According to this law, by business activity and providing of services is meant a systematic and gainful activity unless the law states explicitly otherwise as, for example, according to Sect 14, Para 3, letter d) of the law.

The definition of retail trade activity will not affect the respective provisions of the Civil Code on sale of goods in trade (Section 239 and seq. of the Civil Code). This means that the legal relations arising from this retail trade activity between the organizations and citizens are regulated by the respective provisions of the Civil Code. Retail trade sales to the citizens take place in stores and other sales outlets, department stores, industrial plants, stalls, certain warehouses selling goods, food counters, buffets, mobile cafeterias and so on. Various forms of sale are permitted such as sale by mail-order offices, sale of goods on the basis of samples, sales of good on commission, sale of goods on installments and so on. Retail trade activity also includes sale of second-hand goods, antiquities and works of art as well as their sale or sale on commission. As retail trade activity is regarded also the purchase and sale of home-made products and particularly of folk art and craft products from citizens which particularly organizations of production cooperatives sell in their reta'l stores. The preliminary condition is that the citizen has a permit to engage in such production (issued according to the principles of Law No 20/1965 of SBIRKA) and that the product was approved, so far as such an approval is required, by the art commission set up in accordance with Decree No 149/1961 of SBIRKA. If it becomes necessary, a more detailed regulation of individual forms and methods

of sale will be described in the enabling regulation which will also devise the procedure for management and modernization of the trade network and its rational development.

The details of conditions of purchase by the socialist organizations in domestic trade will be defined by the Ministry of Trade in the enabling regulation with the proviso that, according to the situation on the domestic market, ministerial measures can restrict or even ban these previously permitted sales to the socialist organizations.

By commercial services according to this law are meant services which are directly related to sale and also services which, though not directly related to sale, are customary, business organizations provide them and the citizens make use of them, such as watch repair shops, stores for repair of sports goods, adjustment and hooking up of color television sets in customers' apartments and some additional commercial services.

The law does not apply to those services rendered by organizations of local industry and production cooperatives and other organizations which are set up for providing services, such as manufacture of custom-made articles, repairs and adjustment of products. The provisions of the Civil Code are not affected by these regulations.

According to their nature, scope or difficulty, individual commercial services are paid for or provided free. Their manner and form are decided upon by the supervisory organ, that is the intermediate unit of management (general directorate of OHJ [sectorial economic unit], general directorate of VHJ [economic production unit], kraj committee of the union of consumer cooperatives [SSD] and so on).

Services of public catering are offered particularly in the specified types of establishments and place of business of public catering such as restaurants, coffeehouses, buffets, diners, refreshment counters in the rest areas along the freeways and so on, which are described in more detail in the sectorial norm. They include also production of convenience foods, delicatessen, confectionery and so on.

The law does not regulate the operation of factory cafeterias, which according to this legislation is not covered by the term "business activity." In addition to cafeterias in enterprises and industrial plants, there also are cafeterias in schools, daytime nurseries and kindergartens, cafeterias for armed corps and so on. These forms of catering are always confined to a specific group of persons (workers, children and so on) and the principle of business activity is not involved here, since the meals are served to a special group of persons only. Moreover, the basic regulations on providing and development of factory catering is covered by the Labor Code and CSSR Government Order No 25/1974 of SBIRKA on factory cafeterias.

Housing services are provided in various types of lodging facilities such as hotels, motels, dormitories, camping grounds and so on as are described

in more detail in the appropriate sectorial norm. The law does not regulate lodging and related services offered in enterprise recreational establishments, school and other similar enterprise dormitories and boarding houses or ROH housing facilities. However, if these recreational establishments, dormitories, boarding houses and so on provide room and board to the public, then it is business activity according to this law.

Providing housing services and public catering to the public according to this law means that these services are offered to everybody who asks for them, and then the provisions and conditions of this law must be observed.

Wholesale business activity is carried out in the network of wholesale warehouses and establishments. It consists of the purchase of goods, including purchase preparations, contract negotiations, signing of economic contracts, their evaluation, proper storage of goods, work rationalization in wholesale warehouses; putting together an assortment of goods for the consumer, retail packaging, activity of wholesale sample rooms; filling of orders placed by the retail stores and places of business, and delivery of goods, including arrangement of delivery schedules. The law does not apply to the operation of sales centers (supply centers and so on) of production organizations insofar as they secure material-technical procurement of organizations.

A permit according to special regulations is required for business activity related to foreign tourism.

Sections 13-19 of the Law

In view of some specific conditions of this activity, business activity in domestic trade requires special procedure for its licensing. According to the general regulation contained in the Economic Code, the scope of organizations' economic activity is determined by the organ which sets up the organization by defining the subject of its economic activity. The general regulation (Sect 43 of the Economic Code) does not contain a detailed description of the subject of economic activity so, if a certain area of economic activity and the right to engage in it is not covered by a special regulation, a permit to engage in such activity, including business activity in domestic trade, could so far have been granted by any central organ. Moreover, according to the provisions of Sect 18, Letter a) of the Economic Code, the organizations can through their retail outlets sell the products which they manufacture unless specific regulations provide otherwise. Such regulations have not yet been issued for domestic trade. Consequently, the state, cooperative and mass organizations can engage in business activity, that is, sell goods and provide services without observing the fundamental principles of uniform socialist trade policy and maintaining the desirable level of services rendered.

The restoration of order in business activity in accordance with the society's interests is, moreover, necessitated by the objective need of national committees, which are responsible for the comprehensive socialist economic development on the territory under their jurisdiction, to have

a well-rounded picture of business activity on the domestic market and also to take active or regulatory measures in this respect.

For this reason, the law gives the appropriate national committees and the ministry the right to issue permits to engage in business activity in domestic trade, if the conditions and terms specified by this law are met. The permit is granted upon the conclusion of the administrative procedure (Law No 71/1967 of SBIRKA on administrative procedure). It defines the conditions for engaging in business activity as well as its scope, territory and duration. Administrative fees are charged for this licensing procedure.

Organizations of state trade, consumer cooperatives and business organizations managed by national committees whose socioeconomic mission is selling goods and providing services in domestic trade do not need a special permit for engaging in this activity because their authorization to do so rests directly in law.

Other socialist organizations, other organizations whose activity contributes to the development of socialist relations (Sect 14 of the Economic Code) and other than socialist organizations, if they are legal entities (Sect 488 of the Civil Code) need a permit according to this law for engaging in business activity in domestic trade. These organizations engage in business activity in domestic trade frequently as secondary supplementary activity.

To coordinate services to the population, build the material-technical basis of the retail trade network, rationally administer the manpower and so on, these organizations, if they want to continue in their business activity as a secondary activity after this law becomes effective, must obtain a permit from the appropriate organ of state administration. This applies also to the sale of products by the organizations which manufacture them because this law represents a regulation covered by the provision of Sect 18, Letter a) of the Economic Code.

If the organizations under the jurisdiction of the appropriate central or superior control organ are to engage in business activity on the entire territory of the republic, the Ministry of Trade can, according to this law, grant a permit to engage in business activity on the basis of the application filed by this organ (for example, the application filed by the CSSD on behalf of the production cooperative organizations). An enabling regulation will spell out the procedure in filing the application for the permit.

Otherwise by the organization authorized according to this law (Sect 13, Para 1, Letter b)) are meant, in connection with the interim provision of Sect 54, those organizations which are already engaged in business activity on the domestic market on the day on which this law becomes effective and need not apply for a permit to engage in this activity. It is enough if they report this fact within 6 months after this law becomes effective to the organ of state administration which would otherwise (if the permit were needed) be authorized according to Sect 14.

The law also regulates the cases in which the permit to engage in business activity can be withdrawn as well as cases when the authorization to engage in business activity terminates. By the term "prerequisites" (Sect 19, Para 1, Letter a)) the circumstances are meant which were listed in the application for the permit to engage in business activity and on whose basis the permit was granted (for example, no socialist organization sells a particular type of goods and the situation changes in the meantime).

Section 20 of the Law

The conditions for business activity in domestic trade were so far regulated in different ways by regulations legally binding to a varying degree. Many of them have become obsolete and no longer meet the demands on the standard of services rendered in domestic trade. On the other hand, some aspects of business activity are not regulated at all.

For these reasons, the law lists the conditions which every organization engaged in business activity must meet and consistently observe. The law regulates this question only in a general way because the details will be spelled out in the enabling regulation. The regulation will, in the manner mandatory for all organizations lawfully engaged in business activity, state the operating conditions for stores and places of business, specify their equipment, trade policies, duties of workers at sotres and places of business in connection with the sale of goods and services, the forms of sale of goods, protection of citizens' interests in domestic trade, use of the book of wishes and complaints, and keeping of inspection books.

Section 21 of the Law

Selling periods must be set in stores, public catering establishments, travel agencies, ordering offices in the fuel trade sector, newsstands, buffets and so on in such a way as to allow citizens to buy needed goods and satisfy their needs before and after work.

On the basis of uniform principles laid down by the government, the Ministry of Trade, in cooperation with the appropriate central agencies and ROH orgars, will set selling periods for individual types of stores, taking into consideration as needed thespecial nature of places such as spas and recreational centers, spots in kraj, okres and industrial towns and centers usually visited by more people and so on. The ROH organs will not be consulted in regard to the production cooperatives, where there is no trade union organization. As needed and to ensure a regular supply of goods to the local population, the business organizations together with the appropriate national committee must set selling periods in such a way as to be convenient both in terms of time and number of sales outlets.

Section 22 of the Law

The regulation of temporary closing of stores or places of business is to prevent their closing without a serious reason and without the consent or knowledge of the local (municipal) national committee. The frequently groundless closing of a larger number of stores and places of business

contributes to deterioration of conditions for shopping by, and services to, citizens, their disorientation and often also to disinformation of national committees themselves. To avoid such situations, the law mandatorily provides that the organization can temporarily close a store or place of business only after discussing it in advance with the appropriate local national committee.

By another authorized organ of state administration by whose decision a store or place of business can be temporarily closed is, for example, meant a measure taken by the kraj or okres hygienist according to Section 75 of Law No 20/1966 of SBIRKA on people's health care or a measure taken by the construction supervising authority according to Law No 50/1976 of SBIRKA on territorial planning and building code and so on.

The duty of securing sale of goods or providing services of an identical type or similar services in the nearest store or place of business, while the store or place of business is temporarily closed, applies primarily to the organization itself with the proviso that this substitute sale in another store or providing services in another place of business are to be based on agreement between the organization and appropriate local national committee.

A distinction must be made between a temporary closing of stores and places of business, and changed working time as, for example, shorter working hours due to the illness of the worker or changes in the working hours during the vacation period.

This regulation of temporary closing of stores and places of business applies to the instances when temporary closing lasts at least 1 entire day.

Sections 23-26 of the Law

In view of its importance, sale of goods by citizens is regulated directly by the provisions of the law. A distinction is made between the sale of plant and animal products from one's own small-scale agricultural production, including gathering of berries in the forest, and sale of homemade or home-processed products.

Agricultural products produced on a small-scale by individual growers can be sold by citizens without a permit unless special regulations provide otherwise (for example, Law No 61/1964 of SBIRKA on plant production increase; Decree No 123/1976 of SBIRKA on basic conditions of delivery of agricultural products and supplies as amended by Decree No 83/1977 of SBIRKA; Decree No 62/1961 of SBIRKA and others). Insofar as the citizens sell such products at open air markets in towns and villages, they must observe market regulations which are issued by the appropriate local national committee and set the terms under which these products can be sold at the open air markets. One of the conditions is the proper marking of the stand with a sign which shows the seller's full name and the address

in the place of his permanent residence. The general rules apply to the collection of local fees by the national committees (Law No 82/1952 of SBIRKA on local fees as amended by later regulations). Agricultural products can be sold by citizens, however, also in other areas and locations, such as gardens, in villages before the house or along the highways, if sales are not banned on these spots for other reasons (such as safety of highway traffic).

Their own homemade or home-processed products can be sold by citizens on the basis of a special permit. The emphasis on their own homemade or home-processed products makes it clear that middlemen must not be used.

This permit is issued by the appropriate local national committees according to the place where the goods are to be sold on the basis of the statement of the local national committee in the place of the citizen's permanent residence. Before it is issued, the local national committees examine the purposefulness and need of such a selling permit from the standpoint of trade political aspects and the population's supply. They also take into account whether the products for whose sale the permit is to be issued are not sold in the stores of socialist organizations and the consumers ask for them, whether the assortment of products sold in the stores should be augmented by them and so on.

The permit for sale of goods by the citizens is granted upon the conclusion of an administrative procedure. Prior to the decision on granting or refusing the selling permit, the national committees thoroughly examine the applications, may ask for supplementary information in order to determine whether all necessary prerequisites exist for granting the selling permit to the citizen.

Sales of goods by citizens are governed also by Sect 399 and seq. of the Civil Code as well as by some other special regulations.

The enabling regulation may list certain types of homemade or home-processed products for which a permit is not required.

Section 29 of the Law

The task of socialist trade is also to assert and defend citizens' legitimate interests in domestic trade. This concerns both honesty in selling goods and services rendered, and insistence on the higher qulaity and technical standard of consumer goods toward production, consistent observance of set prices and settlement of complaints.

The Civil Code contains the basic regulation of citizens' rights and organizations' responsibility in sale of goods in stores and services rendered. Past experiences have demonstrated that the general provisions of the Civil Code should be supplemented with more detailed regulation of business organizations' responsibility and duties. This involves questions such as exercise of citizens' right to invoke responsibility for

defective merchandise, that is, citizens' complaints, rulings on them and their settlement, a more detailed definition of the term "correctable and uncorrectable defects" for individual groups of products, more detailed regulation of warranties and so on. The point at issue also is to make this more detailed regulation and definition of duties and responsibility of the organizations engaged in business activity, which strengthens the protection of citizens' legitimate interests and rights in domestic trade, generally applicable to every organization engaged in business activity regardless of the central organ which supervises it. By the provision on the settlement of citizens' complaints (Sect 29, Para 3) notices are meant on the activity of stores, public catering and lodging services (excerpts from them are sufficient) and relevant rules on complaints in individual trade sectors.

An integral part of the protection of citizens in domestic trade is the supervision exercised over the activity of organizations in sale of goods and services rendered, particularly by the superior organs. This concerns the consistent enforcement of the observance of regulations, for example, on the protection of citizens in public catering, observance of mandatory recipes for preparing meals and drinks, particularly from the standpoint of new prices, observance of correct measure and weight, quantity, quality and so on. For this reason, the law explicitly charges the appropriate organs with the duty of further intensifying the protection of citizens in domestic trade and checking on the observance of regulations and measures enacted in this area.

Section 30 of the Law

The increase in market personal consumption and activity of domestic trade lays increasingly higher demands on the standard of management in domestic trade. For this reason, the Seventh Plenum of the CPCZ Central Committee in 1977 strengthened the principle of sectorial management of domestic trade.

Business activity in the domestic trade sector is carried out by:

-- state business organizations supervised by the Ministry of Trade;

-- cooperative business organizations directed by the CSSD;

-- state business organizations directed by the national committees;

-- other organizations engaged in business activity which, according to this law, are regarded as trade systems.

In accordance with the resolutions of the Seventh Plenum of the CPCZ Central Committee and Set of Measures for Improving the Planned Management System of the National Economy, sectorial management applies to all socialist organizations engaged in business activity according to this law. It is conducted, within the jurisdictions delineated by the appropriate central organs of state administration, in mutual cooperation with the CSSD,

national committees and other organs in the organizations managed by them. At the same time, it charges the Ministry of Trade with the duty of directing and coordinating, in close cooperation with the organs which supervise the activity of business organizations, all business activity in the entire domestic trade sector. The emphasis is on the methodological regulation and coordination in this sector.

The basic tools of sectorial management of domestic trade are national economic plans and economic, legal and other incentive tools. Another important tool is domestic trade and consumer demand research. The planned management of domestic trade takes into account also the uniform socialist trade policy and the functions of the socialist market in consumer goods. The sectorial management of domestic trade according to this law does not in any way affect the existing regulations, particularly as to the jurisdiction of the organs involved. Likewise, all effective forms of mutual cooperation with these organs will be employed for the improvement and full enforcement of sectorial management.

Sectorial management of domestic trade will include uniform training of qualified cadres for domestic trade in intermediate professional training centers, vocational high schools and at colleges. In the area of social development, methodological assistance will be provided in drawing up of long-term and medium-range plans.

Section 31-36 of the Law

The law is based on the fact that state administration in the domestic trade sector is exercised by the CSR Ministry of Trade as the central organ of state administration for this area (Law No 2/1969 of SBIRKA on the establishment of ministries and other central organs of state administration in the CSR as amended by later regulations) and by the appropriate national committees. These organs exercise state administration in the domestic trade sector according to the principle of territorial jurisdiction and sectorial principle within the sphere of activity and jurisdiction as delimited by this law, enabling regulations or special regulations (for example, by the law on national committees, law on people's health care, law on state inspections and so on).

The law lists the main areas of activity in which state administration is exercised. The law also describes jurisdiction of national committees at individual levels in this area.

In accordance with the resolution of the Presidium of the CPCZ Central Committee of 27 April 1979 on increased activity of national committees, the law extends their jurisdiction and provides for delegation of authority among the individual levels of national committees. For example, they analyze the trends in personal consumption, work out the concept of development of the material-technical basis of domestic trade and tourism, coordinate and check on its implementation, work out the concepts of development of enterprises controlled by the national committees in the domestic trade sector and check on their implementation.

To secure the implementation of party and government measures in the area of uniform socialist trade policy and supply of goods to the population, the appropriate organs of state administration are authorized to take indispensable measures in sale of goods to the citizens in domestic trade. These are the measures ensuing from the needs of the national economy, trade policy and so on when it is necessary for social reasons to enact certain regulatory measures in sale of goods to the citizens, ensure the implementation of price and credit measures and so on.

The law takes into account existing close cooperation with the CSSD and special provisions regulating the status and tasks of cooperative organizations. It also ensures close cooperation with the appropriate ROH organs.

The coordination and advisory function and activity of the Government Committee for Tourism in the CSR is not affected by this law.

Individual provisions on jurisdiction of the Ministry of Trade and individual levels of national committees in this area cannot be interpreted as authorization for these activities, but rather as the enumeration (summary) of these organs' jurisdiction in the area of state administration. Individual authorization for these activities are specifically formulated in the law in connection with the solution of these problems.

Sections 37-45 of the Law

From the standpoint of protection of domestic trade, the law completes the regulation of state trade supervision particularly in those areas which are not covered by other regulations and which are specific for business activity. This, in the first place, includes inspection of stores and places of business and service centers with the emphasis on the consistent protection of citizens' interests, comments on shortcomings in attention paid by the servicing personnel to customers, supplies, behavior of workers in stores and places of business, honesty, willingness and so on.

The law entrusts state trade supervision to all levels of national committees and to the Ministry of Trade.

In accordance with the resolutions of the Seventh Plenum of the CPCZ Central Committee of May 1977 and in order to reduce the quantity of defective merchandise shipped to the market, state trade supervision can also be exercised--on the basis of mutual cooperation among the superior central organs--in the production sector in exceptional instances and under specified conditions.

State trade supervision by the Ministry of Trade includes also supervision, exercised in close cooperation with the CSR Ministry of Education, of the training of young people for blue-collar jobs.

The law lays down the principles of state trade supervision with the proviso that an enabling regulation will spell out the details and procedure to be followed in state trade supervision.

State trade supervision of business activity according to this law will be helped by the consumer councils established according to Section 65 of the law on national committees. Their purpose is to increase citizens' participation in management and control of domestic trade, to obtain better knowledge of citizens' needs and to achieve better protection of their interests. The consumer councils should display initiative, exercise control, engage in market research, and concentrate on checking on the observance of basic activities and duties of stores and places of business (standard of service and supplies, observance of selling periods, principles of honesty, hygiene and so on), carrying out their own research and topical investigations, and on submitting proposals for improving the relations between the citizens and personnel in stores and places of business.

Section 46-52 of the Law

In accordance with practical needs, the law provides that the organizations can be financially punished for the violation of duties imposed by this law or on its basis. The law defines individual actions constituting the violation of duties and specifies graded upper limits of fines for these instances. If the organization engaged in business activity again violates its duties within 1 year after imposing the fine, the okres national committee will impose another fine up to double the amount of the original fine.

The responsibility of workers for the fulfillment of their work duties in the domestic trade sector is outlined in the organizational and work statutes, and defined in the job descriptions. Its violation will be punished according to the provisions of the Labor Code.

The organs of state administration in the domestic trade sector impose fines or other sanctions in the administrative procedure and the amounts collected constitute their revenues.

The law also regulates punishment of citizens who violate, while selling goods in domestic trade, the provisions of this law or tasks to be discharged in accordance with it. The law defines the actions constituting individual offenses and specifies punishments for them in the form of reprimands or fines. The fines vary according to the nature of the offenses committed.

As another sanction, the law contains also a provision on forfeiture of goods which is designed to protect the interests of the society and the citizens if these interests are gravely violated.

By illegal business activity according to the provision of Sect 49, Para 3, letter c) is meant, for example, sale of goods above the limit specified in the permit (scope, type of goods, place of sale and so on).

Unless this law provides otherwise, general regulations apply to the punishment of offenses and related procedure. Underlying the law is the general principle that an action is regarded as offense if it cannot be

qualified as misdemeanor or crime. In determining the nature of violation, the pertinent provisions of Law No 150/1969 of SBIRKA on misdemeanors or pertinent provisions of the Penal Code must be taken into account.

Sections 53 and 54 of the Law

To eliminate a large amount of paper work at the Ministry of Trade and national committees, the law provides that the organizations engaged in business activity on the day when this law becomes effective and need a permit according to this law, can continue to operate and are regarded as having the right to do so according to this law. The condition, however, is that within 6 months after this law becomes effective they will report the fact that they will continue to be engaged in business activity in the future to the proper organ of state administration according to Sect 14 of this law.

This reporting duty does not apply to the business organizations controlled by the Ministry of Trade, CSSD and national committees. An organization which fails in this reporting duty within the specified deadline will be regarded as an organization engaged in business activity without a permit.

Citizens who possess a permit to sell their own homemade or home-processed products which was issued to them according to Sect 6, Para 2 of Decree No 13/1968 of SBIRKA on rules of business enterprise by the appropriate local national committee and want to sell goods after the new law on domestic trade becomes effective must, within 6 months after the law becomes effective, apply for a new permit at the appropriate local national committee.

Section 55 of the Law

The law applies to all organizations which are engaged in business activity in the domestic trade sector regardless of the central organ by which they are controlled. However, the different status of some organizations is taken into account which, though engaged in domestic trade activity designed to satisfy the citizens' needs, operate under specific conditions which distinguish them from other organizations engaged in business activity. For this reason, the law does not apply to sale of medicines and medical supplies conducted by the organizations of the Ministry of Health, to sale and distribution of periodical press, sale of postal and other valuables, sale of philatelic merchandise and of loudspeakers for broadcasting of radio programs by wire which is conducted by the organizations of the communications sector; to the sale of articles of religious worship and church literature carried out by churches or religious societies nor to other business activity of the organizations controlled by the CSR Ministry of Culture. These instances deal with quite specific activity to which, although it is business activity, the provisions of the law on domestic trade should not or could not be reasonably applied.

The purchase of agricultural products is regulated by the Economic Code (Sect 259 and seq.) and the enabling legislation, particularly Decree No 123/1976 of SBIRKA on basic conditions of delivery of agricultural products and supplies as amended by Decree No 83/1977 of SBIRKA. In accordance with these regulations, business organizations can continue to purchase agricultural products as before, including the purchase of berries growing freely in forests and other areas from organizations and citizens.

The law likewise applies to foreign-trade activity regulated by the Law No 42/1980 of SBIRKA on economic relations with the foreign countries. It thus does not apply to retail business activity carried out by the foreign-trade organization, TUZEX, nor to wholesale business activity carried out by other foreign-trade organizations in relation to foreign countries.

Due to its specific conditions, business activity in the armed forces and armed corps is defined in detail in the regulation issued by the Ministry of Trade, Federal Ministry of National Defense, Federal Ministry of Interior and CSR Ministry of Justice.

Insofar as the relevant provisions of this law provide for cooperation with the trade union organs, these provisions do not apply to membership relations in production cooperatives, while the provision of Sect 267, Letter a) of the Labor Code applies.

Section 56-58 of the Law

The concluding provisions of the law contain authorization for the Ministry of Trade to issue the enabling regulations and rescind the regulations which have become obsolete and are, therefore, no longer needed.

10501
CSO: 8112/1072

PEOPLE'S CONTROL STRENGTHENS TRUST BETWEEN PARTY, WORKERS

Moscow PRAVDA in Russian 13 Apr 82 p 4

[Article by Jozef Szakali, member of the Central Committee of the MSZMP [Hungarian Socialist Workers Party], chairman of the Central Commission for People's Control, Budapest: "People's Control: On the Course of the Party Congresses"]

[Text] The decisions of our party's 12th Congress mention the need for the further intensification of the role played by the people's control and the increase in the public activity rate. "Socialism is built with the participation of the entire nation, for the good of the entire nation, on the basis of mutual trust between the party and the nation." Those words by the First Secretary of the Central Committee of the MSZMP Janos Kadar, which were spoken at the congress, require us workers in people's control to struggle unceasingly for the interests of the people, to serve it with honor and truth, to take all steps to help the party in creation of that atmosphere of mutual trust, and to contribute to increasing the public activity rate of the masses.

The increase in the role of the public and representative agencies of people's control is dictated by the demands for deepening socialist democracy under the present-day conditions. There is no complicated tasks that could not be resolved by us by frankly discussing our problems with the workers. The people's controllers help the party to reveal shortcomings boldly, to show everything that has been retarding our development, and to render assistance and support to every good undertaking.

The work of people's control must aid the reinforcement of state and civil discipline, and must render assistance in the protection of public property and in increasing the organizational spirit and effectiveness of labor. The agencies of people's control are required to combat corruption, irresponsibility in business practices, and squandering, to unmask any abuses, and to bring to responsibility any persons who use their official position for selfish purposes.

During the past decade the number of people's controllers executing the work on public principles has increased from 30,000 to 37,000. Despite the small number of released colleagues, we still have 1,300 elected members of various commissions.

The people's controllers, the commission members, and the released colleagues rely upon a broad public base, and listen to the opinions and proposals of thousands and thousands of workers. More and more frequently the results of our studies and inspections, our comments and proposals, are discussed at public forums, where they are brought to the attention of all the interested persons and local soviets. This information is also given to the plant collectives and the members of the cooperative peasant farms. We also achieve publicity through the press, radio, and television. All these things are indicators of the link that the people's control has with the masses. Wherever there is insufficient publicity about public affairs, a direct harm is inflicted on the increase in the activity rate of the masses. Publicity reinforces socialist society and the state, develops people's initiative, and contributes to the further consolidation of the mutual trust between the party and the people.

Every year 60,000-70,000 workers at plants, factories, institutions, and cooperatives listen immediately to the reports on the work performed by the people's controllers, and the steps that have been taken on the basis of their inspections. In the press we reported that, for example, in 1981 the committees of the people's control in more than 900 instances demanded disciplinary fines; in approximately 700 instances recommended conducting an investigation as a result of the violation of established norms and rules. Criminal charges were leveled against several dozen people.

An important task of the people's controllers is the guaranteeing of a situation in which the enterprises and other economic agencies observe the appropriate instruction manuals and rules. If we establish that an enterprise is receiving an illegal profit, for example, by violating the norms that pertain to prices or by lowering the quality of output, or is falsifying its financial balance sheet or is engaged in padding the figures, the TsKNK [Central Commission for People's Control] comes forward with an initiative requiring that the illegally obtained profit is confiscated by the court. Such enterprises, in addition, have a penalty imposed on them. Various agencies of the ministries that are also conducting such investigations and that reveal such violations are obliged to report them to us and to the prosecutor's office. That helps to achieve uniformity in the system of taking administrive steps against those who break the law.

Our activities are closely connected with the work plan of the Council of Ministers of the Hungarian People's Republic, and with the government's long-term programs. In the interests of the more effective support of state and economic management and the rapid resolution of matters that pertain directly to the workers, we conduct comprehensive studies that cover a number of problems. We also carry out special-purpose studies and instant analyses which provide for rapid information for the government. All this contributes to the preparing of the decisions and to improving the work of the state apparatus.

Last year the TsKNK presented five reports to the government. Seven more studies and analyses were considered by various governmental commissions. On the basis of our proposals, state agencies made the appropriate decisions.

The number of inspections carried out by the TsKNK does not exceed ten a year. Usually they encompass topics which are of general state importance. During

recent time we studied questions of energy supply, the economizing of energy, and efficiency improvement in management. The government adopted our proposals. This gave rise to a number of new decisions that contribute to the economizing of electricity, petroleum, gasoline, and gas.

An important study was carried out on the state of affairs with the regrouping of manpower as a result of the reorganization of the structure of production. As is well known, one of the basic tasks confronting the Hungarian national economy at the present-day stage is the improving of the production structure and the increasing of the effectiveness of labor. The resolution of that task involves the regrouping of manpower. In this matter it is extremely important to demonstrate circumspection. The commissions of people's control must keep a constant watch on the measures being carried out at the enterprises for the purpose of regrouping the manpower.

In the area of public services, a new governmental order concerning the improvement of public nutrition has been promulgated. It was born as a result of a checking of the work performed by plant, school, and student dining rooms and snack bars.

The people's controllers cooperate broadly with the committees of the Patriotic People's Front. For example, we studied jointly the question of the raising of hogs in personal plots. New recommendations were made, and they were considered by the Ministry of Agriculture and the Food Industry. After being accepted for execution, they will contribute to the further development of the personal sector.

Agreements dealing with cooperation were also signed by us with the All-Hungarian Council of Trade Unions and the VKSM [Hungarian Komsomol]. They expand the public base of people's control and mutual representation in various agencies, and make our work even more diverse.

The party agencies constantly listen to oral reports locally concerning the work of the people's controllers, help in the selection of topics and in the organizing of inspections, and require the people's controllers to be well-principled and accurate and to make constructive conclusions and recommendations for correcting the shortcomings. There has been an increase in the authority of the people's controllers and a constantly increasing number of persons elected from among them to be members of party committees. This helps us to coordinate the inspections better.

The Communists and workers of Hungary react sharply to any mistakes or flaws in work. In recent years people have been taking a more critical approach to the shortcomings in the activities of enterprises and cooperatives, as well as their managers. This attests to the increase in the citizens' sense of responsibility. Bold, well-principled criticism and constructive suggestions are contained in many letters and statements that are received every day by the party and state agencies and the committees of people's control. Annually 7,000-8,000 citizens write letters and complaints to the agencies of people's control. These letters and complaints represent broad public interest and pertain to the activities of workers in industry, agriculture, trade, and public services. They are all verified by us, are discussed, and the implementation of them is taken under control. We devote a large amount of attention to protecting those who have come forward with the criticism and who have revealed the mistakes and shortcomings.

Our experience convinces us that increasing the sense of responsibility and reinforcing discipline are impossible without the further improvement of control and checking. The people's controllers are constantly improving the style and methods of their work, are learning the art of control, and are exchanging their experience. A magazine and numerous pamphlets that throw light upon their activities are being published. Table-of-organization workers and public citizens in the people's control take refresher courses.

The main function of people's control is the intensification of the workers' authority and the better carrying out of the program of socialist construction. At the present time the situation in our national economy has become more complicated as a result of the crisis phenomena in the Western market. In the working plans of the people's control, special attention is being devoted to the comprehensive studies of the problems linked with changes in the production structure, the development of foreign economic ties, the balancing of the national economy, the increase in the profitability of enterprises, the use of raw materials and energy, and the supplying of products and services to the public. The fight to raise the level of the economic management of the means of public people's control is a requirement made by our party. The people's controllers are increasing their efforts in all sectors and making their contribution to the carrying out of the plans for socialist construction.

5075
CSO: 1800/495

FRENCH SOCIALIST PARTY DELEGATION VISITS HUNGARY

Budapest MAGYAR NEMZET in Hungarian 30 Apr 82 p 3

[Text] At the invitation of the MSZMP CC, a delegation of the French Socialist Party visited Hungary between 26-29 April. The delegation, under the leadership of Lionel Jospin, first secretary, included Paul Quiles, Jacques Huntzinger, Anne Tregouet, members of the executive committee and national secretaries as well as Rene Girault, colleague of the Central Committee.

The delegation was received by MSZMP first secretary Janos Kadar and conducted talks with a group of officials headed by Miklos Ovari, member of the Politbureau. Other group members included Janos Berecz, CC member and head of the foreign relation department of the CC; Laszlo Ballai, head of the CC economic policy department, and Mrs Istvan Verok, colleague of the CC foreign affairs department.

The delegation met Sandor Gaspar, MSZMP Politbureau member and first secretary of SZOT, the National Council of Trade Unions

The parties exchanged views on recent changes in Europe. They expressed profound concern about political and economic actions which were endangering the results of detente. Recent intensification of such deeds is hindering progress, the freedom and independence of people as well as the peace and security of nations. Development of multilateral relations in Europe must contin[illegible]g the nations, honoring the commitments of the Helsinki Accords. The two d[illegible]gations found that they differed in their evaluation of the Polish situation. They felt that discontinuation of the disarmament talks would result in a new arms race and lead mankind into grave danger.

They agreed that Soviet-American talks begun in Geneva on deployment of medium-range missiles should produce concrete results as soon as possible and that there should be early talks between the United States and the Soviet Union aimed at balanced reduction of intercontinental strategic missiles: SALT talks. They hoped that the second UN disarmament conference scheduled for June 1982 would lead to positive decisions which would establish conditions satisfactory to all concerned for the reduction of nuclear and conventional weapons. The parties agreed that there were genuine prospects for convening a European disarmament conference.

They also agreed that settlement of the problems existing at centers of tension in various parts of the world in a manner which would preserve national independence and sovereignty was indispensable to international security. Both parties favored negotiations for dealing with disputed issues in all parts of the world.

The negotiators assured people struggling for establishment of a new international economic system, for social progress, political and economic freedom and against neocolonialism and racial discrimination of their support. They reiterated their solidarity with such people.

Both sides expressed their conviction that, despite differing ideological-political views, continuing and increasing contacts between the MSZMP and the French Socialist Party are in accord with the interests of both parties and serve to strengthen multilateral ties between Hungary and France to which each side wishes to contribute actively.

CSO: 2500/233

GABRIELSKI IDEOLOGICAL-THEORETICAL CONFERENCE SPEECH

Warsaw SZTANDAR MLODYCH in Polish 9-12 Apr 82 pp 1, 3

[Selected fragments of S. Gabrielski's speech at the PZPR First National Ideological-Theoretical Conference; edited by Ryszard Naleszhiewicz]

[Text] Much time, patience, and wisdom is required in our struggle for the hearts and minds of our youth. On one hand, the latest socioeconomic and political crisis had a most profound impact on the sensitive but crucial area of ideas and of motives of people's actions. Hence the wide extent of the disappointment and discouragement felt by our entire society, and particularly by our young generation; hence a profound mistrust, one could say hostility, harbored by this generation toward the authorities.

On the other hand, our educational work is concerned with transforming the psychology and consciousness of the Polish people as shaped by their history, and with transforming their attitude toward their own state and their own authorities, as well as toward their civic obligations which have to take precedence today, in times of organic and basic activity which is so necessary today.

Even if we direct our attention toward the past, our conclusions and generalizations cannot disregard the causes of the existing situation. We must not forget those bad experiences, but we must not return to them. And so, what were the main causes [which were] responsible for the accumulation of negative phenomena and attitudes in the youth milieu?

I would include among most important of these, first, the clash between the social and material expectations as awakened by us in the young generation, and between our pledges to this generation, and the drab reality and lack of real possibilities of fulfilling these expectations.

Secondly, [I would mention] the lack of mechanisms and conditions for the implementation of the social and political subjectivity of our youth--something which sharply contradicted the former propaganda about our young people being our nation's great opportunity;

Third, I would mention the deterioration of ideological and intellectual activity among our youth, the verbal and superficial nature of political and

educational work, and the avoidance of sensitive and difficult topics;

Fourth and final, I would mention the discrepancy between the proclaimed ideals and reality or, phrasing it differently, as our youth defines it, the two-facedness of politicians and educators.

I am aware of the fact that these are not all the causes of the crisis of attitudes, and that many of them are a consequence of incomplete elimination of the effects of previous crises. The causes of this siutation are rooted also in the whole difficult and at times dramatic process of the building of socialism, as well as in the consecutive stages and transformations of the youth movement.

Paradoxical is the fact that a generation which in scientific research has been considered a generation which was previously regarded as a generation of ideological and social lethargy, a generation which had turned its back on the world of ideas and social life, became in August [1981] a socially active generation which entered the mainstream of public life. Nonetheless, research confirms that in their thinking about social reality young people often disregard objecgive laws of historical development, and contradictions and conflicts of social life, and [they] demonstrate a lack of ability to analyze facts and social phenomena.

Idealism, unwillingness to recognize the realities of international and objective laws of social development—all this has transformed the youth people's rebellion into a negation of our social reality.

When making an in-depth analysis of the attitudes of our youth, searching for the motivation of the August protest, one has to stress the fact that, in the opinion of the young people themselves, they fought for right causes, such as human dignity, morality of public life, and a law-abiding and just government. These are essentially socialist values. The young generation of Poles regards these values highly and wants to be true to them. And so, the party's obligation is to exploit the noble impulses, the anxieties and non-conformity of our youth, and to transform these into the causative forces of development, into forces which are creative.

The harm [already] done in young minds and hearts is so much greater because many party organizations were not equal to the requirements of the political struggle for our youth's minds and hearts. Neither were the educational centers, the mass media, the youth organizations and, finally, the youth milieu itself.

Previous shortcomings and errors caused the weakening of the ideological resistance of our youth. The weakness of these attitudes was noted by our political adversary, who injected confusion, doubt, and disorganization into the young people's consciousness. We have to take into account the significant fact that the anti-socialist action among our youth was accompanied by such adjectives as Polish, national, labor, democratic, free, self-governing, etc. And so, advantage was taken of our youth's sensitivity and its patriotic feelings for the purpose of sowing hatred and discrediting the people's authority.

To win our youth over to the party and to the party's political line and programs is today a problem of fundamental importance. The party's ties to our youth determine the fate of socialism in Poland and its ability to repel any attacks or threats.

Thus, the party should have full knowledge and description of the state of minds of the young generation--a description which is regularly updated by new material. Today we have to be seriously concerned about the accuracy and reliability of our perception of the young people. As a matter of fact, scientific and journalistic analyses in this respect pertain to problems which are already past, and cannot formulate any practical conclusions except for a general conclusion which demands the elimination of the generally recognized casues of the August eruption of our youth's discontent, and also the forms in which that discontent manifested itself. Will this suffice? To what extent will the process of the polarization of the young people's attitudes be influenced by the processes of improvement and reform of socioeconomic life which are being directed by us, and by a return to the ideological sources of socialism? We need also to answer the question concerning the extent to which our youth's minds have been penetrated by ideas and actions inculcated by our political adversaries. From the above ensues a demand for concrete action. There is a need for systematic, in-depth research on youth, for the development of theoretical thinking related to the young generation, and for better utilization in educational practice of accumulated scientific knowledge.

Today we must change the scope, concepts, and methods of ideological education. Our educational concepts are based on a conviction that only an active man transforms the world while simultaneously changing himself. To educate is, above all, to involve in action, to rouse to social activity, to taking on and solving responsibly one's own problems and those of one's own family and milieu. Ideological education must take into account today's realities, must be firmly rooted in the difficult reality of our youth, and must embrace large areas of our youth's mistrust, disappointments, and bitterness--and often, resignation and a lasting inner rebellion.

Today it would be rather necessary to assume that the consciousness gap between the youngest generation and the middle and oldest generation is greater than at any time in our postwar history. I wonder whether there may be some truth in the assertion that we are dealing with an argument which has not manifested itself in the form of a public debate, but which is a heated argument between generations concerning the world of values, the meaning of life under socialism, and the manner of exercising authority.

And so, the party should assume an attitude of trust and understanding toward our youth, and should demonstrate patience in debating difficult problems of political nature. Unfortunately, in our country so far we have had a debate about our youth rather than the party's serious discussion with our young generation. Initiating a dialogue and arriving at an agreement on these matters is one of the basic platforms for every positive educational program.

The party's ideological strength in creating concepts of youth education, and particularly of ideological, civic, and moral education, should be based on consistent and creative inspiration of basic segments of education, [such as] family, school, and youth organizations, with full utilization of the possibilities available in this area to propaganda, science, and culture.

In these actions, of primary concern to us should be to provide information to our youth in the area of the so-called elementary truths; I mean here mainly the need for an honest presentation of Poland's most recent history as well as matters pertaining to the functioning of a socialist state and society. In these areas, the degree of ignorance and false interpretation among our youth is enormous.

No educational system can effectively perform the function of shaping human consciousness without being firmly rooted in a specific ideological tradition. The party should see to it that the young generation of Poles grows up in an atmosphere of progressive tradition with regard to culture, ideology, and world outlook--that it familiarizes itself with the achievements of our Marxist, socialist, democratic, and rationalistic thinking, and is more conscious of its ties with the tradition of Polish liberation movements--those of workers and those of peasants, and with the tradition of the revolutionary and progressive creativity and activity of prominent individuals.

The condition for effective political and ideological education is the restoration of the status of Marxist sciences in higher schools, and the awakening of a Marxist intellectual movement and of a need for getting to the root causes, for self-education, for seeking contacts with the ideological life of the world communist movement, with polemics taking place in it, with political literature, and with contemporary economic and philosophical thought. Without this, it is impossible to develop any thinking about the future of our nation and state. Our duty in our work with youth is to form new links in the relations among people and nations, and to develop the sense of identity with the world mainstream of socialism and with the struggle for the latter's victory. What we have in mind, then, is ideologically committed education. Contemporary civilization, and the educational level and universal concerns of our youth, demand that we give a prominent place to our youth's intellectual, world-oriented, and spiritual needs in our concepts of educational work with youth. Beyond any doubt, the dimension of human life exceeds a mere concern for social and material existence. I venture here into the territory of vast problems of interhuman relations, of the relation of an individual to society and to other humans. Ultimately a question arises how to mold the joy of life, the perception of the value and meaning of existence, and the spell of involvement and of active life. These are some of the most difficult educational problems of the contemporary epoch.

At the Seventh Plenum of PZPR Central Committee, the First Secretary of our party, comrade Wojciech Jaruzelski said, among other things: "We were unable to demonstrate that Marxism is plainly interesting, that it stimulates independent thinking and gives answers to questions which people ask of themselves. In the consciousness of the young generation, the no-man's land has expanded. It has been overgrowing with weeds. Who knows whether this is

not the cause of all these frustrations, and of the ideological vacuum into which our adversary made inroads with such ease?"

In Poland, matters of historical dimension are being decided. An economic reform is being implanted, a discussion of the prospects of the trade union movement is continuing, many essential changes pertaining to the functioning of the state are in preparation, serious discussions are continuing with regard to the operative model of socialist democracy and to workers' self-government. At last, the movement of national rebirth is originating from the rank and file. Thus, a great opportunity arises for our youth's activity and initiative. There is room here for a great intellectual youth movement focusing on problems of the future; there is room for innovations and for very practical steps. Present reality is characterized by the fact that just criticism has not been transformed into constructive criticism based on one's own activeness as an indispensable condition. We still have not witnessed the formation of a school of thought which would base one's own chance of survival on one's own above-average professional and social activeness, demonstrated despite difficult conditions. Our concern, therefore, is, in short, to outline realistic future programs, to inspire our youth's activeness, and reveal, with complete honesty, that the truth is that our society and authorities will not be able to create for our youth the expected conditions of life and development if our youth itself is not active in this respect.

We should create conditions for the young people's activeness to assert itself everywhere--in the Sejm, in People's Councils, in the self-government of the work force, in rural self-government, in trade unions, in state and economic administration, in segments of social control, and in groups of experts and advisers at all levels; lastly, the young people's activeness is necessary in the ranks of our party, of social organizations, and among the originators of the idea of national rebirth. Nobody can, however, assign this place [for our youth] by a decree. It must be confirmed by social activeness, by qualifications, and by moral and civic attitude.

The principal issue is the education of the young generations for socialist democracy, and the proper molding of a man's consciousness, mentality and attitudes in this respect. Socialist democracy takes for granted the oneness of rights and obligations. Young people's participation in public life is a great school of formation of civic virtues, such as responsibility, social service, civic discipline, and respect for work.

The expectations expressed by the party with regard to our youth must be accompanied simultaneously by will and decisiveness in meeting the vital needs of the young generation.

We cannot continue to delude and to make empty promises. Today nobody will trust pledges any more. We need facts. Therefore, we must tell our youth openly and frankly that Poland in the next few years will not be a country of plenty and abundant consumption, that the next few years will be difficult and will require, above all, sacrifices and work. But we are also saying that despite this the young generation will have opportunities to develop its own personality, to study, to work creatively, to build interhuman relations on

the basis of friendship, and to participate in public life. To create real conditions for this to occur is the task of the party and the authorities.

Youth can most effectively represent its interests, express opinions, and assume important obligations with regard to itself and our country, through an organized, authentic and strong movement of its own.

We should emphasize the following conclusions, drawn from the experience of past years and of the critical months of the existing crisis:

FIRST--The strength of a youth organization is determined by the unification of its program of action with the Party's ideology and policy and with the program of Poland's development.

SECOND--The effects of the activity of youth organizations are the greatest when they bear the stamp of authenticity, are firmly rooted in the realities of the life of their milieus, cover a wide spectrum of practical tasks, encourage initiative from the rank and file of our youth, and they know how to harmoniously combine our youth's own problems and needs with the general needs of our society.

THIRD--Honest and direct political talks with young people should be our method of molding the political convictions and the characters of our youth. It should be the party's concern that youth organizations should pulsate with intellectual and ideological life and offer attractive forms of cultural, tourist, and sports activities. It is in such an atmosphere that frank discussions can take place, doubts regarding philosophical and world-outlook questions can be resolved, and interpretations of the contemporary world can be formed.

In our work with youth and with the youth movement of great importance is the idea, forgotten in the past few years, that the young people must attain socialism not in the same manner and way as their fathers did. "Therefore, among other things, V.I. Lenin wrote, "we should unconditionally support the organizational independence of a youth organization, and not only because opportunists are afraid of this independence, but for reasons of principle. For, without complete independence, it will not be possible to mold youth into good socialists; nor will it be possible to prepare youth to lead socialism forward."

9577
CSO: 2600/516

KOSZALIN OFFICIAL COMPARES PAST, PRESENT CRIME SITUATION

Koszalin GLOS POMORZA in Polish 4 Mar 82 p 3

[Interview with Col Jan Dylewski, deputy commander of the Citizen's Military [MO] in Koszalin Voivodship, by Jerzy Rudzik; date and place not specified]

> [Text] A day-to-day feeling of calm and security goes with values which are highly priced and which until recently have been endangered. The MO guards law and order. Can we feel safer today when the martial law regulations--while gradually softened--are still harsh and when the streets, settlements, and cities are patrolled by militia and the army? We are discussing these matters with Col Jan Dylewski, deputy commander of the MO in Koszalin Voivodship.

[Question] Let us begin with a brief characteristics of the crime statistics prior to the introduction of the martial law.

[Answer] In Koszalin Voivodship--and throughout the country--a growth of unfavorable tendencies in the structure and volume of criminal behavior was observed. In the first 11 months of 1981, we noted a significant growth in criminal activity in major categories, particularly in acts directed against state and private property. The number of judicial proceedings increased considerably as well. The solved crimes indicator for 1981 reached 74 percent, that is 14 percent lower than in 1980. This means, among others, that the number of investigations closed because of inability to find the perpetrators also increased significantly. The number of unresolved crimes was particularly high in such crime categories as robberies with forced entry against individuals and state property and fires and arson. Fights and brawls were also on the increase. In summary, unfavorable trends, characterized by an increased frequency of criminal activities and lowering the feeling of public safety, were to a tremendeous degree resulting from the then sociopolitical situation, growing anarchy in everyday life, and the need to focus the MO efforts on new directions and tasks forced upon us by life.

[Question] And how is it today?

[Answer] The situation is unquestionably more favorable in every sphere of our activity. We have received huge assistance from the army, reservists, ORMO [Auxiliary Reserves of Citizen's Militia], whose activities got more spark, sociopolitical cadre and retired citizens. Now, when our ranks have doubled and perhaps even tripled we can be and are where our presence is required by the situation. Moreover, the martial law restrictions conducive to the maintenance of order and calm have brought about a big drop in the number of criminal offenses and an increase in the solution rate.

[Question] For example?

[Answer] In January 1982 alone there was a 39-percent drop in criminal offenses in comparison with the analogous period last year. The statistics are even more favorable when compared with the fall of 1981. Between 13 December 1981 and 20 February 1982 we registered, among others, 1 homicide and 1 rape (solved), 4 armed robberies (3 solved), 59 forced entries to state facilities (36 solved), 33 robberies with forced entries to private properties (so far, 11 solved), and 16 serious thefts (all solved). These are in general high solution indicators considering the fact that none of the investigations has yet been completed.

[Question] However, have new kinds of crimes and threats been noted?

[Answer] Not really entirely new, but many of them have simply intensified, for example, the production of moonshine. In the period mentioned above we closed 30 moonshine facilities. There has also been noted an increase in illegal hunting on the fields, forests and water and the perpetrators often use illegally obtained guns, ammunition and explosives. Just recently 14 guns, several hundred rounds of ammunition and 5 kg of explosives were confiscated.

[Question] It is obvious that during the martial law the militia performs various tasks and as a rule directly interacts with a citizen whom it --frankly speaking--threatens with all kinds of reprisals.

[Answer] Anybody who follows the law does not have to be afraid of the militia, but a violation of the law obviously calls for punishment. However, the margins of such contacts and interventions are still filled with instructions and warnings. The effectiveness of patrol services and all types of controls has also obviously increased. By 20 February 1982 some 50,000 persons had their identification papers checked in public places, and similar checks covered 118,000 vehicles, their owners, and passengers as well as 2,000 dives and other unsafe places were checked which led to exacting fines from some 4,900 persons for a total of over 2 million zlotys while 1,500 persons were directed to appear before lower judicial bodies. In addition to that, 220 persons were arrested for committing felons and 1,644 were detained for misdemeanors. Reasons? Unfortunately, too often testifying to disregard for elementary requirements such as lack of

documents, violation of the curfew, moving around without a required pass, and yet these violations can be avoided!

[Question] I would like to know if your preventive activities contain any new elements.

[Answer] I can tell you that a new element, for example, is the increased surveillance of public places and of all those persons who can be a threat by a much greater number of undercover militiamen. A thief, a hooligan, or anyone interested in a willful violation, even if he cannot see a uniformed militiaman must have a clear understanding of a serious risk because of possible quick discovery and punishment.

[Question] MO actively participates in combating illegal trade of which we often inform the public as well as in actions against economic crimes. Please describe some directions of these activities.

[Answer] In regard to the antispeculation actions, the following figures can illustrate them. In the period discussed, we discovered goods in illegal trade worth nearly 7.5 million zlotys, goods worth over 3.5 million zlotys were confiscated, and goods worth over 1.1 million zlotys hidden from the consumer were discovered. This led to the initiating of 56 preliminary investigations. We are also concerned about the illegal trade in cattle; four preliminary investigations have been already initiated. We pay a lot of attention to prevention, among others, through intensified inspections of stores and meat stands. We have observed--and quite often--that they produce unscheduled and unrecorded surpluses of meat not covered by ration coupons and vice versa. Thus, we are dealing with either simple dishonesty or illegal trade. I also wish to emphasize that we direct considerable effort toward prevention of waste and poor management. The storage of grains is a good example. It is plagued with inertia, bad will, light-heartedness, particularly in state farms and various warehouses. Result? Very often the grains due to overgrowth or excessive moisture are good for breweries only. Recently in a collective farm we discovered 219 tons of rye and 322 tons of barley unfit for consumption. Thus we have a paradoxical situation: we have to import considerable amounts of grain, but ours gets spoiled because of somebody's fault.

[Question] ??

[Answer] And to add another dimension to this paradox, I can tell you that the price of the--let us call it—spoiled grains are more favorable than those of the consumption grains. Who in this situation is interested, then, in taking care of grain when the spoiled grain can be sold on such favorable terms? In this situation, it is difficult to talk about losses in terms of formal proof although the real losses are clear.

[Question] How do the people react now to the MO activities? Before the militia accused the society of passivity, and even overt animosity in situations requiring intervention, while the society had a number of its own criticisms against you.

[Answer] I can state briefly that the Koszalin society then and now in comparison with many other regions has been rather disciplines and calm. There have been no drastic conflict situations here. Today, for all practical purposes and excluding exceptions, the militia does not meet obstacles in the course of an intervention. Also, I think that the social climate of condemnation of crime and its pertpetrators is becoming more pervasive.

[Question] Can we feel safe today, then?

[Answer] Completely, absolutely?--this would be too beautiful. The drop in number and weight of criminal activities is unquestionable, but felonies are being committed every day. To maintain the state of relative safety will not be easy or simple, because the criminal world still exists, adapts to new conditions and with time will intensify its activity. The crime-generating factors have not disappeared either. We have no shortage of degenerated alcoholics and parasites who, in order to live, must steal, speculate or procure; there are also foreign-currency speculators and hooligans. Today we have already some signals of concern, but no concrete examples.

And one more thing: the character of felonies is changing. Robberies of a house, store, or garage, an assault, or a rape--these are classical forms of crime we have gotten used to in a way. And yet today theft of a ration coupon is also painful and hard for a poor person or a family with many children. Thus, an improvement today does not mean that we can be absolutely sure of tomorrow.

[Interviewer] Thank you for the interview.

8609
CSO: 2600/499

HARSH TREATMENT OF GYPSIES DESCRIBED IN FRENCH SOURCE

Paris LE MATIN in French 30 Mar 82 p 15

[Article by Alexandru Danciu: "One Does Not Meet Any Happy Gypsies in Romania--More than a Million Gypsies Are Victims of Violence on a Regular Basis"]

[Text] In the aftermath of the aggression of which our collaborator Bernard Poulet was the victim in February while on a reporting assignment in Romania, we have just received a letter from Bucharest. Written by a gypsy, this document points up the situaiton of oppression under which more than a million gypsies live in Romania. We remember that the Romanian authorities had said that the aggression of which Bernard Poulet had been the victim, while trying to visit the dissident Vasile Paraschiv, was the work of gypsies.

[The letter] Your article, published in LE MATIN on 15 February which we, in Romania, learned about through Radio Free Europe, deeply disturbed and angered me and presented a serious matter of conscience for me. How is it possible for such things to happen in Romania today? While trying to find an answer we must say, with sorrow, that suspicion, fear, abuse, violence and all the other aspects of terror are present in our everyday life.(...)

However, the events which you have experienced oblige us to become more mindful and to meditate on the everyday abuses by the organs of repression in Romania. Indeed, these abuses--which have become legal currency--can lead to the inhumanity and brutality with which you have been treated, you or Vasile Paraschiv, or others who have the courage to openly express their opinion of the real situation in the country. As a result of our passivity and silence, we are becoming, little by little, the involuntary accomplices of this conspiracy of terror whose victims we, ourselves, could be tomorrow.

Each one of us can recognize ourselves at a moment or in a character described in the account of your trip to Romania and your attempt, which was brutally interrupted, to meet with V. Paraschiv.(...)

For my part, since it was your article, as a whole, which prompted me to write to you, I am determined, in particular, to clarify an element in your story; the part where the police in Ploiesti tried to explain the attack on you by insinuating that it was a question of "gypsy thieves" who would even have stabbed you. You, Bernard Poulet, have understood very well that it was not the gypsies (the real ones) who pursued you all the time and attacked you.

Since I am a gypsy, I am familiar with the mentality which is becoming more and more widespread among the Romanian authorities today--the idea that the gypsies in Romania--always more numerous--are a permanent source of dangers of all sorts. However, I have been surprised to find out how far the xenophobia and anti-gypsy racism of the Romanian authorities can go and in what unexpected context the prejudice against the "thieving and dangerous" gypsies can be used. There is indeed an evolution, of the socialist type, of the cliche of the "chicken-stealing" gypsy to the cliche of the gypsy "who steals notes of journalists," notes which are compromising for a political regime, or perhaps--who knows?--who steals undesirable political dissidents.

The story of the "gypsy thieves" who attacked you in Ploiesti is attracting the attention of public opinion to the prejudice and discrimination against gypsies in Romania today, a prejudice utilized more and more frequently by the authorities to "explain" a number of negative phenomena in the country. Here are some examples: the gypsies are considered to be the main ones responsible for disturbing the peace, and you were able to learn about the rules and the defenders of the very same law and order. It is always gypsies who are responsible for the increasing number of thefts and infractions--and not low incomes, lack of food and consumer goods or the frustration of people who, in peril every day, respond by violence.(...) The gypsies have a large number of children because they "want to misuse" the very meager material assistance given by the state to large families.(...) Many more examples could be given to illustrate this "multilaterally developed" prejudice against the gypsies, which I do not hesitate to call racism.(...)

This is why the districts where the gypsies live (such as in the cities of Timisoara, Tirgul-Jiu, Sibiu, etc.), are often stormed very early in the morning by armed militia men, accompanied by dogs, under the pretext of looking for some offenders hidden by the gypsies. They force their way into the houses and strike the women and children; they kidnap youths and men and take them to the militia head quarters where they are beaten and threatened until they confess actions which they have not committed. Also, each summer, these so-called "social parasites," a majority of whom are gypsies, are rounded up by force and, under the pretext of assigning them to military duty, are sent to do forced labor on construction sites, in agriculture or in the Danube-Black Sea Canal project. Sometimes, gypsy women who have a number of children are operated upon and sterilized for no medical purpose.(...)

And since, as a result of the rough handling which you have had, you have become "one of us," I can tell you confidentially that, in Romania, there are some gypsies who are thieves and dangerous. Perhaps this confidential explanation will be followed by another official explanation, based on an "objective" investigation by the Romanian authorities, which will show that your attackers on 11 February really were gypsies. Perhaps they will even be generally regarded to be authentic gypsies, since, by the methods described above, the police will not have any difficulty in finding someone who will be ready to admit this heinous crime. In order to be absolved of another transgression, or, who, knows, in order to fulfill his service obligation in a painful manner. I am sure that you know the rules of the game now that you will keep the attitude expressed in the article in LE MATIN, an attitude which

I have admired both as a man and as a gypsy who wants to be thought of other than as a potential thief. But prejudices and suspicion, whoever their victims are, are only one of the many aspects of the reign of terror established--for how much longer?--in Romania.

CSO: 3100/628

AMENDED DECREE ON RULES FOR USE OF HAZARDOUS EQUIPMENT

Bucharest BULETINUL OFICIAL in Romanian Part I No 5, 11 Jan 82 pp 2-7

[Decree of the Council of State No 400/1981]

[Text] Decree of the Council of State No 400/1981, to establish laws regarding the utilization and maintenance of installations, equipment, and machinery, and of stronger order and discipline on the job, in units that maintain continuous fires, or that have installations of a highly hazardous nature. (Republished on the basis of article II of Decree of the Council of State No 16 of 8 January 1982, published in this issue of BULETINUL OFICIAL, and renumbering the articles).

The country's socioeconomic development, strongly oriented toward technologic progress following the advances of the modern technical-scientific revolution, has steadily raised the qualitative level and complexity of production processes, and led to the extensive utilization of installations, equipment, and machinery with continuous fires or highly hazardous working conditions, whose operation imposes special rules for utilization, monitoring, verification, maintenance, and repair.

Workers, foremen, technicians, engineers, and all those who work or supervise production processes with installations, equipment, and machinery with continuous fires or highly hazardous working conditions, bear full responsibility for assuring the uninterrupted and totally safe operation of equipment, and for preventing and eliminating any situation which could endager life and health.

In all their activities, workers in units endowed with such installations, equipment, or machinery must assure a strict respect for technical discipline, establish rigorous order and discipline at work, demonstrate professional interest and competence, and firmly fight against any infringement of established rules.

In order to strengthen order and discipline among the working personnel in units that maintain continuous fires, or which are endowed with installations, equipment, and machinery that create highly hazardous conditions, as well as in order to firmly establish uniform regulations about the obligations and responsibilities of ministries, other central or local organs, enterprises, centrals, and all workers' collectives in assuring production continuity and safety in those units, the Council of State of Romania decrees:

Chapter I. General Provisions

Article 1. The organization of activities in units endowed with installations, equipment, and machinery that operate continuously, or that are of a highly dangerous nature, in the branches of chemistry, mining, petroleum, metallurgy, machine construction, electric and thermal power, construction materials, lumber, cellulose, and paper, as well as other sectors, must assure uninterrupted production according to approved schedules, strict respect for technical discipline and all other rules of order and discipline at work, and must prevent any damages, explosions, fires, or other technical accidents.

Article 2. Workers in units that maintain continuous fires, or which are endowed with installations, equipment, or machinery whose operation is highly hazardous, bear the responsibility for the complete safety of production, for the monitoring, verification, utilization, maintenance, and repair of installations, equipment, and machinery, and for the strict respect of technical documentation and standards, so as to prevent any damages, explosions, fires, or other technical accidents.

The personnel included in the first paragraph has the obligation to strictly respect order and discipline on the job, conform with and firmly apply standards and instructions concerning production processes, fulfill their work assignments with a sense of high responsibility, and demonstrate intolerance toward any infringement of established regulations.

Article 3. Ministries and other central or local organs, together with the centrals and enterprises under their jurisdiction, are responsible for assuring the proper utilization and maintenance of installations, equipment, and machinery with continuous operation or that is of a highly hazardous nature; to this end, they have the obligation to take and apply all the measures necessary for the proper organization and pursuit of production activities, to rigorously respect operation, maintenance, and repair regulations, to prevent any damages, explosions, fires, or other technical accidents, and to strengthen order and discipline at each work location.

Article 4. Units that maintain continuous fires, or that are endowed with installations, equipment, and machinery whose operation is highly hazardous, including factories, plants, departments, sectors, shops, or other similar production sectors that are endowed with such means, are established by the Council of Ministers on the basis of proposals advanced by the Ministry of Technical-Material Supply and Control of the Management of Fixed Assets (MATOGF), and by the Ministry of Labor, together with other ministries and central organs.

Chapter II. Obligations and Responsibilities of Working Personnel in Units That Maintain Continuous Fires, or That Have Installations, Equipment, and Machinery Whose Operation is of a Highly Dangerous Nature.

Article 5. The managements of units with installations, equipment, and machinery that operates continuously or whose operation is highly hazardous, are responsible for their safe and uninterrupted operation, utilization, and exploitation, for technical discipline, and for the application of all regulations concerning proper working conditions; to this end, they have the obligation to assure:

a) The receipt and placement in operation of installations, equipment, and machinery, with strict compliance with the provisions of technical documentations;

b) The rigorous respect of technical regulations regarding the utilization of installations, equipment, and machinery, as well as the provision of measurement, control, and automation devices, together with the verification and maintenance of these devices in perfect operating condition;

c) The performance of maintenance, adjustment, and repair operations, with rigorous respect for technical standards and regulations;

d) The distribution of production tasks among sectors, shops, sites, lots, and teams, so as to assure a steady production process under safe and efficient conditions;

e) The judicious organization of labor in shifts, and of supervision and technical assistance during all shifts, using qualified personnel capable of effective intervention in directing production and preventing any disturbances, interruptions, or damages; and the designation of persons who can provide technical assistance, of those authorized to order the stoppage or restarting of installations, equipment, and machinery;

f) The selection and hiring of personnel with the qualification necessary to use, maintain, and repair installations, equipment, and machinery, as well as the organization of means for professional training improvement, and the periodic testing of the personnel's knowledge and capabilities;

g) Work protection measures, fire prevention and fighting, the endowment of work sites with means for protecting the installations, and the devices and materials necessary for this purpose;

h) That the working personnel is provided with protection and work equipment specific for highly hazardous jobs, so as to prevent accidents, explosions, and fires;

i) The utilization, storage, and transportation of explosive, flammable, and other materials that are hazardous, in accordance with specific prevailing regulations;

j) The determination of work sites at which access or trafic is forbidden or permited only under certain conditions, as well as of work sites where smoking or the carrying of cigarettes, matches, lighters, or materials that could cause fires or explosions, is prohibited;

k) The existence of guard and order-keeping services under conditions established by law, the establishment of strict regulations regarding entry into and egress from the unit, and the interdiction of access to the unit, for persons who report for work under the influence of alcohol;

l) The respect and rigorous application of all regulations regarding the operating safety of installations, equipment, and machinery, boilers, pressure vessels, hoisting equipment, fuel burners, and measurement, control, and automation devices.

Article 6. The managements of units have the obligation to take all necessary measures to prevent damages, explosions, fires, and other accidents as well as to eliminate without delay any technical defects that are disclosed during production.

In case of accidental interruptions, the managements of units will take immediate steps to restart production capabilities in the shortest possible time, analyze the causes of the interruption, take measures to prevent the recurrence of similar events, and establish the responsibility of guilty parties.

The managements of units have the obligation to secure evidence of any damages and technical accidents in production, as well as to immediately report them under conditions established by law.

Article 7. The heads of departments, shops, installations, or other similar production sections assure, and are responsible for taking all measures such that the installations, equipment, and machinery will be used under fully safe conditions; to this end they have the following obligations:

a) Organize the production process and assign tasks to all their subordinated personnel;

b) Take steps to provide each work site with specific technical instructions for the normal operation of installations, equipment, and machinery; establish the steps that must be taken in case of malfunctions, interruptions, or damages;

c) Assure that each person is informed of his job functions and responsibilites, and verify the manner in which these have been met and fulfilled by the entire personnel;

d) Formulate manufacturing programs which will assure the operation of installations at specified parameters and in complete safety;

e) Assign technical personnel among shifts to assure the technical assistance necessary for correct application of fabrication technologies;

f) Supervise and assume responsibility that the personnel working on jobs which involve risks of explosion and fire, is using protection equipment specific for the job, from the beginning to the end of the working schedule;

g) Inspect daily the technical nature of installations, equipment, and machinery, and compliance with utilization regulations and working conditions;

h) Assure the performance of compulsory planned technical adjustments for installations, equipment, and machinery, according to technical documentation; be responsible for the preparation of installations for repairs, and monitor that all safety measures have been taken;

i) Organize the periodic training of the working personnel in the operation, utilization, and maintenance of installations, equipment, and machinery under safe conditions, the teaching and application of work protection regulations, fire prevention and fighting, as well as regulations for preventing malfunctions, interruptions, damages, technical accidents, and premature wear.

In case of damages or other technical accidents, the heads of departments, shops, installators, or other similar sectors, have the obligation to participate directly in eliminating the results of these accidents, in determining their causes, and in establishing measures for restarting the installations and directing operations for restoring normal conditions.

Article 8. Foremen and other leaders of work teams are responsible for the organization and complete safety of production activities, and for the full implementation of measures for the proper operation, utilization, and maintenance of the installations, equipment, and machinery entrusted to them. To this end they have the obligation to take steps for:

a) The rigorous respect of manufacturing technologies and instructions regarding the maintenance of installations, equipment, and machinery;

b) The complete operating safety of installations, equipment, and machinery; the prevention and elimination of interruptions or operating malfunctions;

c) Organizing each job, preparing manufacturing conditions, assigning jobs to each team, brigade, and worker, supervising and guiding each worker so as to impart the knowledge and habits necessary for the proper execution of production tasks, and supervising the execution of operations during the entire work schedule;

d) Assuring that members of work teams understand the regulations governing technical and job order and discipline, specifications for installations, equipment, and machinery utilization and maintenance, as well as rules for handling, transporting, and storing raw and other materials and products;

e) Instructing team members and supervising the strict application of specifications regarding work safety, hygiene, and fire prevention and fighting; periodically repeating instruction, and verifying the level of understanding of team members;

f) Providing work safety devices and monitoring the use of work protection equipment specified for each work site; monitoring the peformance of work protection and fire prevention projects; supplying work sites with necessary technical operation specifications;

g) Performing maintenance operations on time, and participating in planned technical inspections and repairs;

h) Forbidding access to work sites to those who are not capable of performing their assignments, and notifying their superiors for replacements for absentees; monitoring the performance of medical examinations for subordinated personnel;

i) Taking over the work of previous shifts and turning work over to the next shift, specifying the objectives to be achieved.

Article 9. Leaders of units and other persons with leadership functions must fulfill their job obligations in an exemplary manner, take steps to establish order and firm discipline among the entire personnel, develop among the personnel a sense of duty and responsibility, and punish promptly and severely any violation or infringement of work rules and functions.

Article 10. The personnel with leadership functions has the obligation, within the range of its attributions, to give clear and precise orders, assure the conditions necessary for their execution, and systematically control the manner in which they are fulfilled.

Subordinated personnel has the obligation to execute the orders received, exactly and on time.

Article 11. Workers and other operating personnel are directly responsible for the completely safe operation, under approved operating conditions, of the installations, equipment, and machinery assigned to them, to which end they have the following obligations:

a) To know the construction and functional characteristics of the installations, equipment, and machinery with which they are working, use and maintain them as prescribed, and apply the standards of work protection and fire prevention;

b) To assure in accordance with technical specifications, the constant monitoring of installations, equipment, and machinery, and of other resources entrusted to them, and verify the proper operation of safety devices, as well as of control and measurement instruments;

c) To use and care for protection equipment and safety devices in accordance with established regulations;

d) To report for work fully capable of performing their job, so as to properly fulfill the tasks assigned to them;

e) To immediately notify their supervisors of any malfunction, defect, anomaly, or other situation observed that is likely to create a hazardous situation, as well as any infraction of labor protection regulations or fire prevention standards;

f) Not to leave the job without the approval of a foreman or other work formation leader, under legally stipulated conditions; to be concerned with the proper performace of tasks at all times;

g) To take urgent steps to eliminate damages and accidents when they occur, according to programs formulated for this purpose, and to remain at the disposal of the unit, or return to the unit in the shortest possible time, in case of damages or other urgent needs;

h) To respect access regulations to the unit for which they work, and not receive outsiders into the unit, except in accordance with prevailing regulations;

i) To strictly respect the provisions regarding organized shift changes; work sites cannot be left until the arrival of replacements, and activities can be terminated only after installations, equipment, and machinery are turned over to workers of an incoming shift, in the presence of a shift engineer, installation leader, foreman, or other work formation leader of the incoming shift;

j) To secure installations, equipment, and machinery in strict accordance with technical specifications, when these are not turned over to another shift as a result of work schedules.

Workers and other operating personnel must fulfill their job obligations exactly as specified, prevent any deed that could endanger the safety of the personnel or the integrity of installations, equipment, and machinery, or of other property, and effectively eliminate any situations which could constitute a source of hazard.

Article 12. The working personnel is prohibited from bringing or consuming alcoholic beverages in the unit, or to facilitate the commission of these deeds.

Those who arrive at work under the influence of alcohol are forbidden access to the unit and are subject to the sanctions stipulated by law.

It is forbidden to smoke or bring cigarettes, matches, lighters, or any materials or products which could cause fires or explosions at work sites where smoking or the presence of these materials is prohibited.

Chapter III. Obligations and Responsibilities of Ministries and Other Central and Local Organs.

Article 13. Ministries, other central organs, and executive committees of county and the Bucharest people's councils, together with centrals, are responsible for taking all necessary measures for the completely safe operation of installations, equipment, and machinery, to which end they:

a) Assure, as early as the planning stage, that the execution, placement in operation, and utilization of installations, equipment, and machinery is conducted for safe operation and elimination of hazards for damage, explosion, or fire; it is forbidden to mass produce installations, equipment, and machinery without preliminary testing of prototypes; no construction modifications can be made without the approval of the designer, and only if it assures the existence of at least the initial parameters;

b) Take measures for the rational and safe utilization of installations, equipment, and machinery, and for the respect of technical regulations regarding their maintenance and repair;

c) Organize and monitor the instauration of firm order and discipline, as well as the establishment of precise tasks and responsibilities, for the proper operation of units that maintain continuous fires or that are endowed with installations, equipment, and machinery with highly hazardous applications;

d) Organize and control the utilization, maintenance, and repair of installations, equipment, and machinery, and of control and measurement devices, as well as the production of tools, devices, gauges, and spare parts;

e) Organize the formulation and completion of plans, programs, and schedules for the maintenance, inspection, and repair of installations, equipment, and machinery;

f) Formulate and improve technical specifications for the utilization, maintenance, and repair of installations, equipment, and machinery specific to the branch which they coordinate.

Article 14. In case of damage, explosion, fire, or other technical accident, the ministry, central or local organ, together with the central which has jurisdiction over the unit in which the event occurs, has the obligation to:

a) Effectively determine the causes of the accident and its consequences, and take steps to return the production capabilities to operation in the shortest possible time;

b) Determine who is guilty for the occurrence of the accident, and the responsibility of the guilty parties in accordance with legal provisions;

c) Take technical and organizational measures to prevent accidents of the same nature, measures which then become compulsory for the utilization of all similar installations, equipment, and machinery in subordinated units.

Article 15. Ministries, other central organs, and the executive committees of county and the Bucharest people's councils, must constantly supervise the application of the provisions of the present decree, and of other legal provisions regarding the proper operation, utilization, maintenance, and repair of installations, equipment, and machinery, and must act to prevent any causes which could disturb the production process.

Article 16. Throughout the economy, MATMCGFF controls the safe utilization of installations, equipment, and machinery that operate continuousously or under highly dangerous conditions, their endowment with the measurement, control, or automation devices stipulated in technical documentations, compliance with all technical operation, maintenance, and repair standards, staffing with properly qualified personnel, and periodic instruction of the personnel according to law.

Through its specialized inspections, MATMCGF assures technical verification and authorization to operate, in accordance with law, for installations, equipment, and machinery, as well as the coordinated formulation of technical specification for their safe operation.

The MATCGF state inspector general for the management of fixed assets, fuels, and energy, and for the verification of pressure vessels and hoisting installations, has the right to order the temporary or permanent removal from operations of installations that are unsafe, are not equipped with the measurement, control, and automation devices stipulated in drawings, or which cause a waste of material resources with significant effects for the national economy, in those cases in which established remedies have not been instituted on schedule, giving a 30 day warning to the central or local organ that has jurisdiction over the unit involved; similarly, it has the right to prohibit, according to law, the production, delivery, installation, and operation of steam boilers and similar devices, pressure vessels, hoisting machinery, and fuel consumption devices, if they have defects that can endanger operation safety or can cause damages and accidents.

Control organs are responsible for taking steps, according to law, which will assure that the observed defects are eliminated, that their recurrence in other situations is prevented, that the responsibility is placed on the guilty parties, and that activities are improved.

Chapter IV. Sanctions

Article 17. Depending on circumstances, violation of the provisions of the present decree results in the disciplinary, material, civil, misdemeanor, or penal punishment of the guilty.

Article 18. The following deeds, when committed by personnel working directly with installations, equipment, and machinery that operate continuousously or under highly dangerous conditions, constitute infringements of the law, and are punished with prison sentences of three months to two years:

a) Leaving the installations, equipment, and machinery with which they work without the supervision stipulated by technical regulations;

b) Departure from the job site during working hours, without the approval of the foreman or other work formation leader;

c) Ceasing activities before turning over the installations, equipment, and machinery, according to law, to workers of the next shift;

d) Failing to secure at the end of the work program, according to technical specifications, installations, equipment, and machinery that operate under highly dangerous conditions, when there are no provisions for turning them over to another shift.

Also considered infringement of the law and punished with the sanctions indicated in paragraph 1, is the commission of one of the following deeds on the part of the working personnel, independently of its functions, in units that have installations, equipment, and machinery which operate continuousously or under highly hazardous conditions:

a) Smoking or the carrying of cigarettes, matches, lighters, materials, or products which could cause fires or explosions, in work areas where smoking or the carrying of these items is prohibited;

b) Carrying or consuming alcoholic beverages in the unit, or presence in the unit under the influence of alcohol.

If the commission of one of the deeds stipulated in paragraphs 1 and 2 has disturbed the proper operation of the unit or has resulted in damages to public property, independently of its value, the punishment is a prison sentence of six months to five years.

If the deed stipulated in paragraphs 1 and 2 has resulted in a particularly serious disturbance of the unit's activities, or has caused particularly serious damage to the national economy, or has caused serious bodily harm, impaired health, or resulted in death for a person, the sanction is a prison sentence of 5 to 20 years, interdiction of rights, and partial confiscation of wealth; if the result is serious bodily harm, impaired health, or the death of several persons, the punishment is a prison sentence of 10 to 20 years, interdiction of rights, and partial confiscation of wealth.

deeds committed from fault are punished; in that case, the maximum punishments stipulated in paragraphs 1-4 are reduced by one-fourth.

Article 19. Commission by an employed person, independently of function, of other deeds than the ones stipulated in article 18, which violate the obligations stipulated in the present decree, are sanctioned under the conditions and with the punishments stipulated in penal law, if these deeds constitute infractions.

Chapter V. Final Provisions

Article 20. The provisions of the present decree also apply to units that maintain continuous fires or which have installations, equipment, and machinery with highly dangerous operating conditions, in cooperative or other public organizations.

Article 21. Until the date on which this decree becomes effective, units stipulated in article 4 will be established by decision of the Council of Ministers. For new production facilities, these units are established at least 30 days before they are placed in operation.

Article 22. The management councils of ministries, other central organs, the executive committees of county and the Bucharest people's councils, and the workers' councils in centrals, enterprises, and other socialist units have the obligation to take steps to learn and strictly apply the provisions of the present decree, in order to strengthen order and discipline at each work site, and prevent any damages, explosions, fires, or other technical accidents.

The collective management organs stipulated in paragraph 1 have the obligation to:

a) Organize the sound learning of the provisions of the decree by the entire personnel of units that maintain continuous fires, or which have installations, equipment, and machinery whose operation is highly hazardous;

b) Discuss the provisions of the decree in workers' assemblies by departments, shops, or other similar production sectors, in all work collectives;

c) Organize the dissemination of the provisions of the decree through their posting at each work site, and through other means of information;

d) Soundly instruct the working personnel with respect to the functions, obligations, and responsibilities they have in strengthening order and discipline, carrying out the entire production process under conditions of total safety, while respecting approved production programs.

After studying and learning the provisions of the decree, workers, foremen, technicians, engineers, and all those who work in or lead production processes with installations, equipment, and machinery that have continuous fires or whose operation is highly hazardous, must sign to acknowledge that they are aware of the regulations of the present decree, and that they assume responsibility for the exact fulfillment of their obligations.

Article 23. The management councils of ministries, other central or local organs, the executive committees of county and the Bucharest people's councils, workers' councils in centrals, enterprises, and other socialist units, have the obligation to control the manner in which the provisions of the decree are disseminated and learned by the entire working personnel, to periodically instruct the personnel, and to become directly responsible for taking all the necessary measures for the exact application of its provisions.

Through direct participation, the organs of the Ministry of the Interior, of the attorney general, and of justice, have the obligation to provide the necessary support to socialist units to learn and disseminate the information in the decree, and to supervise the strict compliance with its provisions, taking measures to prevent and firmly combat any violations of the provisions of the present decree.

Article 24. The present decree becomes effective on 1 January 1982.

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DISPUTE OVER DEMAND FOR JUDGE'S RECALL AIRED

Belgrade NEDELJNE INFORMATIVNE NOVINE in Serbo-Croatian

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[Article by Petar Ignja]

[Text] In November of 1980, a group of citizens sent a proposal to the Executive Council of the Belgrade City Assembly calling for the removal of Mikaina Savic from the position of president of the Court of Associated Labor. Recently, a delegate, author Radomir Smiljanic, made the same suggestion. Why are these people demanding the recall of the president of the court?

While seeking a bit of news for our paper, we came across an interesting item: a group of citizens (in the linguistic sense of the word), citing their constitutional right, sent a proposal to the Executive Council of the Belgrade City Assembly over a year ago calling for the removal of Mikaina Savic from the position of president of the Basic Court of Associated Labor in Belgrade. The Executive Council decided that it did not have jurisdiction in this matter, and sent the proposal to the City Trade Union Federation. A working group was formed, meetings were held. They concluded that the demand for the recall was not justified, although the Court of Associated Labor made a slight mistake. Instead of a response, the authorized representative of the signatories of the proposal was summoned to the trade union. The invitation was sent 6 days after the meeting was supposed to have taken place!

The Executive Council was again "challenged" this fall through the press. It was criticized for sending the citizens' proposal to another agency. Instead of a response, the text of a report by the president of the Executive Council at the meeting was published, with the announcement that the trade union would finally clear things up. The response was aired (finally) in November. The signers of the proposal were not satisfied.

Then on 17 December of last year, delegate Radomir Smiljanic, the author, put forward a delegate question at a meeting of the Council of Associated Labor. Actually, he asked a number of questions. He demanded that the proposal calling for the recall, which was signed by 33 petitioners, be

answered in a precise manner. He asked whether or not it was correct that Comrade Mikaina Savic hired the attorney Kosta Nadj without open competition for the job, whether she took on, illegally, Ranka Mirilovic, Ziva Nikolic, and Slavica Angelovski, whether she employed a worker who had already been excluded from the court, whether she unlawfully employed a typist from Cacak (Comrade Savic is from the same city), whether she paid Vesna Jankovic for a seminar at the court's expense although she was not employed by the court. Delegate Smiljanic also asked why judges from associated labor come to court less often than they used to, and why so many judges are pensioners. And finally he asked whether Mikaina Savic, after all these events, was worthy of the position of president of the court.

An Unusual Meeting

An unusual meeting was held on 19 February in the City Assembly (it lasted 5 hours). Present at the meeting were the delegate Radomir Smiljanic, eight people who had signed the proposal for recall, several members of the Executive Council, inspectors who were carrying out an inspection in the court in order to "establish the facts of the matter," Mikaina Savic, and a few reporters. The meeting was stormy and occasionally took on elements of well-directed drama (the signatories were especially good). But the responses which the signers of the proposal received that evening did not give them reason to rejoice.

The presiding officer at the meeting, Radoje Stefanovic, president of the Executive Council of the Belgrade City Assembly, noted, among other things, that to some extent the demand for recall blemished the name of Gen Kosta Nadj. Delegate Smiljanic called this remark unjustified and said that he rejected such an insinuation with indignation. "My second indignation is the fact that this proposal is in fact interpreted as an attack on the institution of the Court of Associated Labor. One hopes, however, that it is clear to everyone that this is an attempt to defend the court as well as to defend our social system, the heritage of our society, for which Comrade Kosta Nadj fought..." said Smiljanic.

Journalist Vuk Draskovic, one of the signers of the proposal for recall, said that he was gladdened by the discussion, because "it is a sign that we are beginning to get used to some democratic autonomous forms of dialogue." He stressed that this discussion came "a little late." In the meantime, he said, "they are taking up arms against us, everyone has declared us the enemy."

"What then are these constitutional rights!" exclaimed Draskovic. "One hopes we did not think them up only as a display for our public and for the world, and that tomorrow some learned people from abroad will say to us that we do not have civil rights."

And Drago Vucic, another of the signatories of the proposal, spoke about the fact that those who signed the proposal were declared the enemy, but that their organization should not disturb anyone. "The fact that workers also make judgments in the Court of Associated Labor means that the judges

can be manipulated in some situations," said Vucic. He added, "I know that Comrade Mikaina Savic is the least guilty in this matter. She is guilty only because she did as she was told."

How does the court work? What sort of decisions are made? The signers of the proposal for the recall of its president are convinced that the court does not work very well. Tomislav Stevanovic, the city secretary for administration of justice, reported some facts which, in his opinion, contradict this conviction completely. He said, for instance, that the court of secondary jurisdiction confirmed the decisions of the Basic Court of Associated Labor in 63 percent of the cases. Not even the regular court, in which experienced judges preside, have this "mortality" of decisions of the court of original jurisdiction. Facts should be taken for what they are; one can believe in them if he so chooses.

Why the Newspapers Are Writing

At the end of the meeting, the president of the Executive Council, Radoje Stefanovic, gave his impression that the meeting had been useful both for the preparation of a response to the delegate question and for a better familiarization of the procedings, the conduct, and the different viewpoints quite obviously. "It is unusual for a group of citizens to organize themselves in order to attack decisions of the court. It is unusual for there to be, in a large number of newspapers, articles about the Court of Associated Labor which are based on falsehoods, with the number of writers far less than the number of published articles, and the mutual connection of the writers of these articles apparent. It is a strange idea that something which is written in the newspapers and which is not refuted is therefore true. It is interesting that the writers of some articles are also signers of the petition, and that quotes from articles they themselves have written are cited in the petition as evidence. I do not believe that any editorial staff would give its blessing to this type of activity when looked at in its entirety.

I believe this because I have faith in the journalists, communists, and other responsible people who work on the editorial staffs. I am in favor of a response to the delegate question being delivered to them, because this whole matter is very instructive."

Radoje Stefanovic, his eyes fixed on the signatories of the proposal for the recall (they were sitting opposite him), said one more thing. "I have not said that you, either individually or as a group, are (to be regarded as an) enemy. But some of you so insist on this that it must be important for you."

A Dissatisfied Delegate

At the end of the discussion, one more "spark" was set off. The question was raised as to whether all 33 citizens actually signed the proposal for recall (doubt was expressed about a number of them) because there were only 32 signatures on the page, and the addresses of 24 of them were not given, and

one of the signatories had ascertained in writing that he had not signed the proposal for recall. Milosav V.R. Jovanovic, a reporter for RAD, explained that Andelko Anusic (the person in question), had revoked his signature because the editor of RAD had threatened him with dismissal because of the influence that the City Council of the Trade Union Federation has on this Yugoslav paper.

Be that as it may, the delegates of all three chambers of the Belgrade City Assembly were provided with a lengthy response (14 pages) from the City Secretariat for the Administration of Justice to the delegate question of Radomir Smiljanic on 25 February of this year. The main point of the response was a refutation (with the simple statement, it is not true...) of many of the remarks which related to the work and the composition of the Court of Associated Labor, and detailed information was cited which led to the conclusion that the criticism of the relationships in the court was, for the most part, unjustified. The professions of both parents of all beginning employees for whom the legality of employment in the court was contested were cited. But it is not unimportant (on the contrary it is quite important) that the response to the delegate question proved two illegal acts to have taken place. The lawyer Kosta Nadj was employed in the court without open competition for the position, and the expelled driver, Nenad Radanovic, worked, after being hired without open competition for the position, for 6 months as a courier. The fact that both employees have since left the court does not lessen the severity of the errors which were committed.

Delegate Smiljanic was not satisfied with the response. He informed the delegates that many citizens had come to him at his apartment and notified him that they were joining in on the demand that Mikaina Savic be called to account. And after this came another demand (Smiljanic read it through) from a group of workers from Minel that Radoje Stefanovic be removed from his office of president of the Executive Council because of his earlier conduct while director of the Minel labor organization.

"The workers invited me to their meeting twice. I will tell you frankly, I was advised by comrades in the City Committee not to go...and I did not go to that meeting." said Smiljanic.

Delegate Marijan Pavlovic, who worked at Minel for 20 years, explained that the signers of the new petition were at one time forced to return from communal jobs to production, and that is why they are dissatisfied.

Delegate Ratko Butulija responded that Radomir Smiljanic did not consult with comrades on the City Committee, but talked by telephone with one member of the City Committee "in order to fetishize the issue, and to present it here in order to give new strength to the unprincipled conduct which he set in motion."

Smiljanic also charged that the vice president of the Executive Committee, Nikola Djordjevic, in a conversation with citizens who signed the proposal for the recall (on 19 February), threatened them with these words: "We could be malicious and throw you all in jail."

Nikola Djordjevic called for the stenographic report of the meeting, which showed that no imprisonment was threatened. "I consider writing to be a highly moral act, and when a writer uses words he should measure them well before he commits himself, whether verbally or in writing. However, I am shocked by the great and serious falsehood of which I have been accused, by the fact that I have been accused of saying things I never even though of, let alone said."

Is There Anyone Who Is Satisfied?

The discussions in the assembly lasted almost 2 hours. Then the delegates of all three chambers voted and adopted a response to the delegate question of Radomir Smiljanic. Smiljanic and one other delegate voted against it; two delegates abstained.

Having adopted the response to the delegate question of Radomir Smiljanic, the Belgrade City Assembly, at the proposal of the Executive Council, concluded the following:

"With regard to the expression and the character of the action against various decisions of the courts of associated labor which are in effect at present, and the action for the demand for replacing the president of the Basic Court of Associated Labor in Belgrade, and with regard to the breach of the appropriate conceptions in the editorial staffs of various newspapers, the response to the delegate question, with the text of the question and the text of the proposal of the group of citizens enclosed, will be sent to the City Conference of the SAWPY, the City Council of the Trade Union Federation, the City Conference of the League of Socialist Youth, the publisher's councils, and the editorial staffs of all newspapers in which the texts appeared, and in addition, to the group of citizens who refer to themselves as the signatories of the proposal. This conclusion is based on the belief that a more detailed analysis of the action for replacing the president of the Basic Court of Associated Labor in Belgrade will facilitate the implementation of the recently adopted resolutions of the Presidency of the Republic Conference of the SAWPY of Serbia and the Presidency of the Central Committee of the LCY of Serbia concerning the social role of the public information media."

The result of all this is that delegate Radomir Smiljanic is not satisfied with the response to his question. The signers of the proposal for the recall of the president of the Court of Associated Labor are also dissatisfied. The majority of the delegates are dissatisfied with the positions of Radomir Smiljanic.

Will the discussions be continued? What will be resolved in the Socialist Alliance, in the editorial staffs of the newspapers, and the publisher's councils? Will all those summoned and those not summoned have enough patience, a very important quality in these circumstances? Time will tell.

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